

THE *Samuel Wynn*
New Retorna Brevium:

Collected from the
Many Printed LAW-BOOKS extant
CONCERNING THE
RETORN OF WRITS

In the Courts of
**Chancery, Exchequer, Queens-
Bench, &c.**

Alphabetically digested in their proper Order.

To which are added and intermix'd
Many Special Modern Retorns not hereto-
fore made Publick.

WITH
Many useful NOTES and OBSERVATIONS
throughout the whole.

Necessary for all Sheriffs, Under-Sheriffs,
Clerks, Attorneys, Sollicitors, Mayors,
Bayliffs of Liberties, Coroners, &c.

AS ALSO
For the Officers of the several Counties-
Palatine of Chester, Lancaster and Durham.

With a Compleat Alphabetical Table respecting the
said several Courts in their Order.

By R. G. a Clerk of the Court of Common-Pleas.

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Printed by the Assigns of Richard and Edward Atkins, Esqrs;
for John Walthoe in the Middle-Temple-Cloysters. 1707.

THE
New Revised Edition

Collected from the
Many Printed
CONCERNING THE

READER

of the
SIR

THIS treatise being com

posed at the request of
Several Gentlemen who de

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~~TO THE READER~~
~~and carefully collected~~
TO THE
READER.

SIR,
THIS Treatise being composed at the request of several Gentlemen, who desired the Return of Writs might orderly appear together, is now made Publick for your perusal, and such further Service as a Tract of this Nature can perform: If there were nothing more in it than the several Special Modern Returns, I might well hope you would enter.

To the Reader.

tain it, but as it is compact
and carefully Collected, I
am apt to perswade my self
you will Encourage it, and
thereby, also very much
Oblige and Encourage

Your

Humble Servant

R. G.

THE

T H E

New Retorna Brevium.

Sur Process Ret' in Parliamento & Canc'

Also Retorns of Commissions, Writs and Process out of the *Chancery*.

Virtute, &c. omnia brevia mihi delib' heras seu deliband coram Iudic' infrascripte apud Westm' in Octab Sancti Petri returnabit sibi return' habeo coram Iustic' infrascripte apud Westm' die, &c. unachm omnib' executionib' eorumdem Et ulterius ad Com' meum tene apud C. tali die Et And' pube Procl' feci qd Partes in eisdem brevibus notae dies suos coram Iustic' apud Westm' ad prefat' Terminu' conserbarent put istud breve in se erigit & requirit. Vide Dalt. Offic. Vic. 296. Kitch. 273. b. Wilk. Eng. 337.

Adjorna-
ment.

Retorn' Brevis de Procl' de Adjornamento
Parliamenti.

Execuc'o istius brevis patet in quadam Schedul' huic brevi annex'.

Virtute brevis Dni Regis mihi directe & huic Schedul' annex' eidem Dno Regi certifico qd 16 die Julij Anno rni dicti Dom' Regis, (&c.) apud Cantabr in Com' predict'

In Causa. & 20 die ejusdem mensis J. And supradice apud L. in eodem Com ac 27 die J. And supradice apud P. in eodem Com nec non 9 die febe Anno supradice apud E. in eod' Com proclamari feci omnia & singla in eod' hiebi contene secund forma & effectum ejusdem hiebis Et put per hiebe illud mihi precepe fuit In cuius rei Testimoniū Ego A. B. Al Die Com predice huic Schedule sigillum meum apposui. Vide Dalt. Offic' Vic' 267.

De Milit' Parliamenti Eligend'.

ff. Eligi feci duos milites gladiis cinctos magis idoneos & discretos de Com meo predice, viz. W. f. & J. S. qui quidem milites plenam & sufficientem potestatem p Comitae predice heant ad faciend & consentiend hijs que ad diem & locum infracontene de comuni consilio Regni Reg Angl ordinar contiger Et predice W. f. & J. S. manucape sunt p J. P. W. B. J. D. & R. P. ad essend Parliamentum Dom Regis apud Westm ad diem infracontene ad faciend put istud hiebe in se exigit & requirit, feci etiam preceptum virtute hujd hris J. P. & W. S. Balk libras Wille de G. qd de Burgo de G. eligi facerent duos burghenses de discretiori & magis sufficienti qd sint ad Parliamentum dicti Dom Reg ad diem infracontene ad faciend & consentiend ut predice est Qui quidem Balk sic mihi respondit Qd eligi fecer de predice Burgo de G. duos burghenses discretos & magis sufficientes ad essend ad Parliamentum pdice, viz. S. W. & R. W. Vide Kitch. of Courts 273. 24 Crompt. Jur. 1. Rast. Ent. 186. Wilk. Eng. 336. Lat. 145.

Aliter



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In Cancell.

Aliter Secundum Dalton 229.

Virtute istius brevis mihi directe in pleno Comd meo tene apud C. tali die & Anno) p assens ejusdem Comd eligi feci duos milites de Comd meo pcedice, viz. E. P. & J. C. ad faciend pnt istud breve in se exigit & requirit.

Aliter Secundum Dalton ibid.

Virtute istius brevis mihi directe ad pntinum Comd meum post receptum ejusdem brevis & in pleno Comd ill tene apud C. tali die & anno eligi feci duos milites gladijs cinctos magis idoneos & discretos de Comd meo pcedice, viz. W. F. & J. S. qui quidem milites plenam & sufficientem potestatem p Comd (or p se & Comunitate Comd) pcedice habeant ad faciend & consentiend hijs (et. as above usq) viz. S. W. & R. W.) ad faciend & consentiend ut supradice est.

Virtute etiam istius brevis proclamari feci omnia in isto brevi contenta secundum formam & effectum hujus brevis pnt hoc breve in se exigit & requirit Residuum vero executionis istius brevis patet in quibusdam Indenturis huic brevi annex.

The form of the Indenture for the Knights of the Parliament, to be returned into Chancery.

Hec Indentura facta in pleno Comd C. tene apud Castrum C. die jovis 30 die Maij Anno Rni Dne Anne Regine Dei Grd Angl Scot Franc & Hibnie Regine fidei Defens. et. quarto ine A. B. Mil Die Comd pcedice ex

In Canc.

una parte & C. D. Mil' C. f. Mr G. D. J.
 & H. M. M. M. & c. & mule at person
 Com p'dice & Elector duor Milie ad Part
 in hzebi huc Indentur consue spec ex altera
 parte gut ut major pars totius Com p'dice
 tunc ibidem existen jurat & exāiae secundū
 vim formam & effectum diversorū statutorū
 inde edic & p'bis eliger P. C. Mil' & Bari &
 P. C. Mil' infra Com p'dice comozā glā
 diis cinctos milites habiles & magis ido
 neos & discrees Dantes & concedentes p'dice
 duobus mit plenam & sufficiē potestatem
 p se & toe Comunitae Com p'dice ad faciendū
 & consentiendū hijs que ad Parliamene in di
 cto hzebi contene de Comuni Consil Regni dñe
 Dñe Rñe nunc Anglie contingerint ordinari
 super negocijs in dicto hzebi spec In cujus
 rei testimonium uni parti hujus Indentur
 penes dictā Dñām Reginā remanendū partes
 p'dice sigilla sua apposuer alteri vero parti
 ejusdem Indentur p'dice Dic sigillum suum
 apposuit, Dae die anno & loco supradict.

It is to be noted as partly appears above, That every Sheriff after the receipt of the Queens Writ for Summoning of the Parliament, for the Election of Knights of the Parliament, ought forthwith to make out his Warrants under the Seal of his Office to every Mayor, and Bayliffs of Cities, and Boroughs within the County, reciting in his said Warrants the Writ of Parliament, commanding them thereby to chuse Citizens and Burgesses to come, to the Parliament (*scilicet*, if it be a City to chuse Citizens for the same City by Citizens, and if it be a Borough to chuse Burgesses by Burgesses, or Freemen of the same Borough.) And those Mayors and Bayliffs must make a lawful

return

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return of that Precept to the Sheriff by Indentures made between them, and the Sheriff of their Election, and of their Names which are elected; and the Sheriff must set his Hand and Seal of Office, to one part of the Indentures, and then deliver it to the Mayor, or Burgeses, or Citizens to be kept; and to the other part the Mayor, or Citizens, or Burgeses must set their Hands and Seals and deliver it as their Deed to the Sheriff, to be certified and returned by him with the Writ of Summons, to the Clerk of the Crown, and the Sheriff ought to make a good and true Return of the said Writ, and of every such Return to him made by the Mayor, &c. upon sundry Penalties. See *Crompt.* 207, 208. by 23 H. 6. 15. See *Dalt. Offic. Vic.* 335, &c.

For the Names of the Counties, Cities and Boroughs and Ports, which do send Knights, Citizens, Burgeses and Barons to the Parliament of *England.* *Vide Dalt.* 338.

De Burg' Parliamenti eligend'.

N. Virtute, &c. ad p'or' Comd meum post receptionem ejusdem Tene apud W. tali die & anno in pleno Comd illo proclamari feci omnia in isto brevi contenta secundum formam & effectum hujus brevis patet, &c. Residuum vero Executionis istius brevis patet in quibusdam Indentur' huic brevi consue.

Hec Indentura facta (tali die & anno) inter
M. P. Dic Comd C. ex una parte * & *J. D.* These
A. B. &c. ex altera parte Testae qd secun- must be
 dum formam brevis huic Indentur' consue free Citi-
 (sac Proclamac in pleno Comd tene apud ro zens,
 B 3 C. tali of the

In Canc.
Town
having
due Ele-
ction.

C. tali die & anno) p^oice J. D. & A. B. & alij
qui p^ocland p^oice in pleno Com^o p^oice inter-
fuer^t secundum formam Statute in h^oebi p^oice
spec^o & exigent^o h^ois ill^o eleget^o A. B. & J. A.
essend^o Burges^o Civie p^oice ad Parliamene
in eodem h^oebi specificat^o, Qui plenam & suffi-
cient^o potestatem p^o se & Communitat^o Civie p^o
hent ad faciend^o & consentiend^o prout h^oebe il-
lud in se exigit & requirit In cuius rei Testi-
mon^o Partes p^oice h^ois Indenturis sigilla
sua alternatim appoluer^t. Dat^o die
Apr^o anno, Et.

Kitch. 273. b. Dalt. 230. Wilk. Eng. 337.

Aliter, In English by a Mayor.

This Indenture made, &c. (reciting the Day
and Year, and Queen's stile at large, &c.) Wit-
nesseth, That by virtue of a Warrant to me
directed, from Sir A. B. Knt. Sheriff of the
County of C. for the electing and choosing
two Burgeses, Men of good Understanding,
Wit, Knowledge and Discretion, for Causes
concerning the Weal Publick of the Realm,
to be at her Majesties High Court of Parlia-
ment, to be holden at her Highness's City of
Westminster, the day of
next coming; I E. F. Mayor of the Borough
(or Town) of C. with the whole assent, and
consent of the rest of the Burgeses there
have made choice, and Election of G. H.
of, &c. Esq; and J. K. of, &c. Esq; to be
Burgeses for our said Borough of C. to attend
at the said Parliament, according to the Te-
nor of the said Warrant to me direct'd in that
behalf. In witness whereof, I have to these
Presents set our Common Seal of our said Bo-
rough, the Day and Year first above written.

Ad

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In Canc.

Ad quod Dampnum.

Retorn' inde in Canc' concerning a Market.

N. Executio istius brevis patet in quadam Inquisitione huic brevi annex'

Respons' D. N. Ar' & P. R. Ar' Vic'.

Inquisito indentae capte apud H. in Comd p'd 15 die D. anno r'nd Dnd Caroli sec'di. ec. coram me D. N. Ar' & P. R. Ar' Dic Comd p'd virtute brevis Dnd Regis mihi directe & huic Inquisitioni annex' p' sacm C. R. J. S. A. P. J. C. &c. p'bor' & legium homin' Comd p'd qui iurat & odat sup sacm suum p'd die p'd non erit ad dampn' vel p'judic' ded' Dnd Regis aut alioz si d'us Dnus Rex concedat J. C. in brevi p'd n'iat q'd ipe & heredi sui duo mercata in eodem brevi spec' in diebus Martis & Jovis in singlis septianis p' annu' in brevi p'd mentonae ad emend' & vendend' averia & pecudes in quodam loco vocat le Conduit Mead in brevi p'd n'iat tenend' & p' totos dies illos respective continuand' sibi & heredib' suis imp'p'nd' habeant teneant & custodiant & colneta & p'ficia inde p'venient' & emergend' sibi & heredibus suis p'cipiend' juxta exigentiam brevis p'd Et ulterius Jur p'd sup sacm suu' p'd dicunt q'd non erit ad dampn' vel p'judiciu' ded' Dnd Regis aut alioz si d'us Dnus Rex concedat p'tat J. C. q'd ipe & heredi sui duas nundinas in singlis annis in separatibus diebus in bri p'd s'it mentonae respective annuatim ad emend' & vendend' ododa mercimonia & merchandizas in loco p'd tenend' & p' spatium in eod' bri s'it specificat respective continuand' sibi & heredibus suis imp'p'nd' similiter heant teneant & custodiant

In Canc. necnon ododa emolumenta & pficua inde pbeniend & emergend sibi & heredibus suis picipiend secundu exigenc briis pñ. In cuius rei testimonium tam ego pñat die quam Qui pñ huic Inquisitioni sigilla nra apposuimus die año & loco supdict. See the Appendix to the Register of Original Writs, fol. 10.

Aliter concerning a High-way.

Inquisitio indentae cape apud C. in paroch de C. in Com pñ 21 die Iad año rnd Dñd nri Car secñd Dei gra Angl Scot Franc & Hibnie Regis fidei Defens &c. 18º coram me W. L. Mil die Com pñ Virtute briis Dñd Regis mihi direct & huic Inquisitioni annex' p sacmñ A. B. C. D. E. F. Et pboz. & leglium homin de ballia mea qui iurat & ondat sup sacmñ suñ pñ ad veritae dicend de & sup Materijs in Articulis in eodem brii spec die qñ non erit ad dampnū vel pñjudic ded Dñd Regis aut alioz. si idem Dñus Rex concedat R. S. Mil in eodem brii mēc qñ ipe Cōem Regiam viam in C. pñ que se ducit a Chipsted pñ p mansum ipsius M. ibm usqz R. als R. in paroch de Seven Oake in Com pñ in brii pñ spec includere ac illam sic inelulam tenere possit sibi & heredibus suis p elargatone & meliozi accommodatone Mansi sui pñ impmñ Ita qñ loco Cōis die ill und al Cōem Viam ejusdem longitudinis & latitudinis in ppe solo ipsius R. ibm adeo competentem transeuntibus p viam ill facit modo & forma put in brevi ill continet Et ulterius Qui pñ dicunt sup sacmñ suñ pñ Cōis Viam sic includenda continet in longitudine 93 perticae & in latitudine 21 pedes. In cuius, &c. Vide Offic. Brév. 208.

Attach-

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In Canc.

Attachment.

Infranomina^t A. B. non est invent^u in Balli^a
va mea.

Attach^u privilegⁱ vers^u 3 extra Canc^u, unde Vic^u
retorn^u qd^u un^u Def. est capt^u, alius non est in-
vent^u, & tertius fecit rescussum. Co. Ent. 678.

A B. Ar^u Vic^u.

Of an Attachment and Proclamation in Canc^u.

Infrano^{ti}ae A. B. non est invene in Ballia
mea, Et in oib^u locis in Ballia mea, tam in-
fra libertates quam extra, publice pclamari
feci qd^u infrano^{ti}ae A. B. psonaliter compa-
reat coram D^{no} Rege in Cancellar sua infra-
scripe ad diem & locum infra contene ad re-
spond^u D^{no} Regi de quodam contemptu. Et
ulterius ad faciend^u & recipiend^u quod eidem
Cur^u in hac parte videtur expediens put^u p
hoc bre mihi p^{re}cipitur.

R. S. Ar^u Vic^u.

Vide Greenwood revised, 244. & vide. postea
tit. Proclamation.

Aliter.

Virtute istius br^{is} mihi direce D^{no} Regi
certifico qd^u 5^o Aug^u año regni Dⁿⁱ Reg^{is} infra-
scripe 3^o apud C. in Com. C. infraspec & 9^o
die Aug^u. año supradice apud L. in Com^u p^{re}
necnon 1^o die Sepe año sup^{re}dice apud P. in
Com^u p^{re}d pclamari feci omnia & singla in ista
h^{re}bi contene sec^und^u formam & eff^und^u ejusdem
br^{is} put^u interius mihi p^{re}cipitur. Et ulterius
d^{eo} D^{no} Regi certifico, qd^u infrano^{ti}ae J. S.
non est invene in Ballia mea. Vide Dalt. 298.

Retorn

In Canc.

W Retorn of a Writ of *Capias si Laicus*, upon a Statute or Recognizance acknowledged in Chancery.

Domino Regi in Cancellaria sua infra-
scripse certifico qd infranōiae *Johes Cotton*
Laicus est, & non est inventus in ballia mea
ressid vero executionis hujus b̄ris patet in
quadam inquisitione huic b̄rebi annex^a.

A. B. Ar^s Vic^s.

Vide Offic. Brev. 215. & vide postea.

Certiorari super Protectione qd' moram trahit
propr' negoc' suis intend^a.

A. Virtute istius b̄ris Dñi Regis infra-
scripse in Cancellaria sua sub sigillo meo di-
stincte & aperte significo, qd *W. C.* infra-
nōiae sub salva custodiā vittillae & tuitione
Ville Castri Marchiae Dñd Regis & in ob-
sequio ejusdem Dñd Regis in S. p̄ consan-
guinei sui *W. D.* locum tenend sui Genit^r
Ville Castri ac March p̄ juxta formam Dñd
Regis Literarū. Patend p quas idem Dñus
Rex p̄lat *W. C.* in p̄teccōd & defensionē suam
nup suscepit, non moratur, sed moram trahit
in Civit^e L. p̄p̄iis negoc' suis intendens, &c.
Kitch. 274. a. Vide Dalton 297. Wilk. Eng.
338.

Certiorari de Indictament^a.

Virtute, &c. Via & singula Indictamenta
A. B. infranōiae coram Dño Rege ubicunq;
fuerit in Anglia ad diem infracontenē mitto
in quadam schedul huic b̄rebi consue. Dalt.
296.

Aliter.

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Aliter.

In Canc.

Virtute, &c. Inducamene illud unde in dco
habet fit mento unacum oibus idem Induca-
ment ranged in Cancellar dco Dnd Regis
mitto, &c. Dalt. 296.

Aliter of a Statute.

The Sheriff may return, That he had at ano-
ther time certified it into the Chancery, as ap-
pears by the Inrollment made before the May-
or, &c. 'Tis a good Return. Vide Dalton 296.

Certificate.

Certificate of Security of the Peace given be-
fore the Allowance of a Pardon. Vide postea,
Securitas pacis.

**Dedimus Potestatem ad inquiren de Literis
Paten', &c.**

Virtute, &c. Dnd Reg in Cancellar suam
certificam Qd A. B. infranotiae coram nob
sacram prestavit corporale Qd Tunc Patem unde
infra sit mento ad mand infranotiae C. D. te-
stator sui debener Sed p sacram suum die qd
nihil de Articulis & aliis Circumstanc in
eisdem Tunc Patem specificae coram se in-
vene fuit.

Respons. H. L. & J. D Commiss.

Vide Kirch. 276. 2. & Dalton 297. Wilk.
Eng. 343.

Return' del Commission' de Dedimus ad capi-
end' Respons'.

**¶ Virtute istius Commissionis nobis direct
cepimus responsa C. D. infranotiae sup sacram
Dei**

In Canc'.



Dei Evangel' qd omnia in eadem responsione sunt vera, Que quidem responsio sic capte est huic Commissioni annex' [unacum villa nobis sita in eadem direce] & omnia alia que in eadem Commissioni continentur sive ad eandem pertinent fieri fecimus secundum effectum & tenorem ejusdem put interius nobis precipit.

Kitch. 276. a. Dalt. 297. Wilk. Eng. 344.

Of a Commission of Rebellion.

Dño Regi certifico qd ted receptionis istius Commissioni mihi & al' directi infrahoiae W. W. capte & arrestate fuit per W. S. Mil' Vic Comd C. virtute diversorū brevium eidem Vic direce & Gaole Dñi Regis Castri sui de C. per eundem vic commissus fuit in qua quidem Gaola p'fate W. S. p'fate W. W. virtute istius Commissionis attachiari feci put interius mihi precipit Sed corpus ejus ad diem & locum infracontene here non possum quia idem W. in ead Gaola in Salvo Custodi die vic p' diversis alijs Causis ibidem detinet.

A. B. Commissionar'.

De po' ad recipiend' Cognicon' in Canc'.

Respon' E. G. Gen' Commissar' infrascript.

II. Virtute istius brevis mihi direce personalie accessi ad infranominat C. C. apud, Et. die, &c. Quiquidem C. die & loco p'dice coram me fatebat se fore persolue & satisfacere de 200 l. in Recogit infrascripte specificat ac etiam tunc & ibidem idem C. instanc petiit qd irrotulamene ejusdem Recogit vacaret Cancellaree & omnino dampnaret de quibus de Dñe Regine in Canc suam certifico ac ejusdem

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eiusdem C. Cognitionem in forma predicta in Canc.
fac. mitto unicum hoc brevi put interius
precipit. E. G. vide Appendic' ad Regist.
Orig' fol. 23.

De po' ad recipiend' Sacrm' Vic'.

ff. Virtute istius brevis nobis directe (tali die) & anno infra scripe recipimus Sacramen-
tum infranominat' J. B. Dic Com Hanc *
de Officio illo bene & fideliter faciend' juxta
formam cuiusdam Schedul' presentibus an-
nex' prout interius nobis precipit ac put
breve illud in se exigit & requirit.

H. M.

M. M. &c.

} Commission'.

Dalt. 297. Wilk. Lat. 149.

Aliter Secundum Dakon, fol. 13.

ff. Virtute istius brevis nobis directe (tali die
& anno, &c. infrascripte) recepimus sacrm in-
frascriptae N. B. Dic Cantabr de Officio illo
bene & fideliter faciend' juxta formam cuius-
dam Schedule presentibus annex' put inte-
rius nobis precipit.

F. B.

&

M. B.

} Commissionar.

Aliter ibid.

Execuc' istius brevis (or Commissionis) pa-
tet in quadam Schemula huic brevi annex'.

Schemula.

ff. Nos F. B. & M. B. in Canc Dñi Re-
gis humillime certificamus, qd virtute his
Dñi Regis nob direct' & huic Schedule an-
nexae,

In Canc.

Wnerat, quarto die mensis Decembris anno rñd
 dicti Dom nrd Car Dei grā Regis Angl, &c.
 apud C. in Com C. recepisse sacramentū
 B. Mil in brevi pdict nominat tñd de Officio
 Vicecom in dlo Com C. bene & fidelie faci-
 end juxta formam Schedule brevi pdict an-
 nex quam sacramentū specificat in Ace Parlia-
 ment anno rñd Dñe Eliz. nuper Regine
 Angl primo facie secundū tenorem brevis &
 Schedule brevi pdict similie annex & in om-
 nibus execut put in pdict brevi precipit.

F. B.

&

M. B.

Aliter per Magrm Cancellar, idem 14.

Ego J. E. Magistri Cancellar in Cancel-
 lar Dñi Regis certifico me die R. anno
 rñd Dñi Regis Car. Dei grā Angl Scoc
 Franc & Hiberd 12 apud R. in Com Cantā-
 br recepisse sacramentū J. E. Bar Vic Com pdict
 tam de Officio Vic in dlo Com bene & fide-
 lie faciend quam sacramentū specificat in Actu
 Parliamenti anno rñd Dñe Eliz. nuper Re-
 gine Angl, &c. primo facie. In cujus rei
 testimonium huic presenti Certificate sigillum
 meum apposui Datum, &c. apud R. die &
 anno supradict.

J. E.

Retorn de Dedimus ovē Garrant del
 Attorney.

Executo istius Commissionis patet in qua-
 dam Schedule huic Inquisitioni annex R.
 H. T. H. Rec 6 s. 6 d. C. C.
 Cornub ff. C. R. Gen quem J. J. voc ad
 Ware

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Warr pō lō suo C. D. & W. S. lēd Altorū in Canc'
suos conjunctim & divisim versū J. R. Gen
ad lucrans vel pōndē de placito terre C. R.
Capē & cognō rozām nobis apud H. in Com
C. ulc die Maij Anno Domō 1670.

R. H. T. H.

De po' extra Canc', to admit a Guardian for
an Infant

W. R. De pō admittere J. P. Ali & J. B. Precipe
Gen ad compens & defend in Cur Dñi Regis pro Cui
de Banc p M. P. spinū infra etar existē sitor.
de placito Partitonis de Mañio de F. cum
pertid & 15 Mesuagiis, &c. cum pertid in
A. & C. ad lece C. S. Bar.
Comiss dixerē G. J. Ar J. J. Gen M.
G. & M. G. Gen.

Retorn' inde.

W. R. J. P. Ar & J. B. Gen. admissi
sunt p Cur Dñi Regis de B. hic ad com-
parend & defendend p M. P. spinū infra
etar existē ut Gardiani ejuldem M. ad
C. S. Bar de placito partitonis, &c.

Admissi sunt 23 die Iad anno rnd Regis
Car. 2. 13. rozām nobis.

O. J. J. J.

&

M. G.

Elegit, vide postea Inquisic'on.

De eligend' Virid' Forestæ.

Dño Regi certifico qd infranōie J. P. ante
advene istius brevis mihi directē mortuus
fuit. Quq ego post receptōm istius brevis
mihi directē in pleno Cōm meo tene apud C.
in

In Cane.

in Comd meo 29 die Maij anno infrascripte
ex assensu ejusdem Comd loco p̄dictice J. eligit
feci quendam P. B. Mi Viridar Pojette de B.
infrascripte ad faciendū put istud h̄ve in se
exigit & requirit.

Vide Dalt. 230. Kitch. 275. a. Wilk. Eng.
340. Lat. 150.

De eligend' Coronator'.

Ad Comd meum tene (tali die & anno) in
pleno Comd p̄dictice virtute istius h̄ve de as-
sensu ejusdem Comd loco P. B. infranōiac
(qui diem clausit extremum) eligit Coronator
viz. J. W. qui (put moris est) sacrum p̄stitit
corporale qd ipse ea faciet & conservaverit,
que ad Offic Coronā in Comd p̄dictice pertinent
faciendū put interius mihi p̄cipie, &c.

Vide Dalt. 229. Offic. Brev. 216. Kitch.
275. a. Wilk. Eng. 341.

Alicui.

Virtute istius h̄ve mihi directe in pleno
Comd meo tene apud Castrum Ebōz 2 die
Aprilis anno, &c. in Comd p̄dictice ex assensu
ejusdem Comd loco infranōiac C. W. eligit fect
G. B. de R. in Comd p̄dictice Gend und Corona-
tor qui quidem G. eodem die in pleno Comd
p̄dictice p̄stitit sacrum suū put moris est secun-
dum formā & effectum huius h̄ve ea facere
& conservare que ad Offic Coronae pertinent
faciendū & erequendū in Comd p̄dictice put idem
h̄ve in se exigit & requirit.

T. R. Ar' Vic'.

Vide Greenwood revised, 226.

Extent

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In Canc.

Extent infra libertates & Levari.

A. B. inframminat non est indene in bal-
liba mea Et ideo pirtute istius brevis mihi
direc' extendi & appertari feci omnia terras
& tenta bona & catalla p'dice A. in dec bal-
liba mea Que quidem Extene huic brevi est
anner' Ne etiam omnia terras & tenta p'dice
in eadem extene spec' unacum dampnis &
custas suis rationalibus levari iuxta formam
Statue inde edic' & p'dic' Et secundo formam
huius brevis.

Vide Kitch. 271. a. & Wilk. Eng. 331.

Retorn' Inquisic' liberari feci' sur Recogn' ex-
tra Cancel.

Executio istius brevis patet in quadam In-
quisitione huic brevi annex.

Inquisic' indentae (sc.) Qui dicunt super
sacram suum qd C. 29. in brevi p'dice nominat
die captonis huius Inquisic' fuit possessionae
de diversis bonis & catallis sequen', viz. de
frumene voc' Ape ad valenc' 10 s. de hordeo
ad valentiam, &c. & de quibusdam uren-
bus voc' Household-stuff ad valenc', &c. Que
quidem bona & catalla ego p'fac' vic' liberari
feci p'fac' R. per p'tum p'dice put per breve
p'dice mihi p'cipie Et ulterius Jur' p'dice
super sacram suum p'dice die qd p'dice C. die
recognit' debet in eodem brevi spec' seu unum
postea nulla alia sive plura huius bona aut ca-
talla terre neque tenementa in Com' p'dice que
R. 10. in eodem brevi nominat liberari face-
re possum, in cuius rei testimonium, &c.

Vide Dalt. 299.

C

Cap.

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Cap. & Extent Retorn del Brief, Inquisi-
 tion, Liberate, Retorn del Liberate, Le Cog-
 nizo comust auter Statute al Stranger, en le
 Chancerie, le darrein Conulse moztu inte-
 state Et le Des. effeant Wm retoder in le
 Chancerie, Regi agard l'execute del moi-
 eties des Terres delives al Plaine devant,
 Vide Co. Ent. 234, 235, &c.

Retorn of an Extent upon a Statute acknow-
 ledged in Chancery, with an Inquisition
 thereto annexed.

Domino Regi in Cancellaria sua certifico
 qd infranominat W. B. laicus est Et non est
 in bene in balliva mea.

Resid Executionis istius brevis patet in
 quadam Inquisitione huic brevi annex.

H. M. Bar Vic.

The Inquisition.

Inquisitio indentae capte apud C. in Com
 pdice tercio die Maii anno Regni, &c. decimo
 Octavo coram me Pumphido W. Mil Die
 Com pdice virtute brevis dicti Domini Re-
 gis mihi directa & huic Inquisitioni annexa
 sacramene A. C. C. D. probor & legalium
 hominum de balliva mea qui Jurati & o-
 nerati super sacramene suum dicunt qd W.
 B. Mil & Bar in dicto brevi nominat tem-
 pore recognitionis debiti in eodem brevi spe-
 cificat scilicet nono die Septembris anno Regni
 dicti Domini Regis nunc tertio decimo festus
 fuit & modo festus existit in dominico suo
 ut de feodo de & in Maneriis de D. & C.
 cum suis & eorum alterius iuribus mem-
 bris & pertinet quibuscumq; in dicto Com H.
 clari

clari annui valoris in omnibus erit ultra
 rep̄tis ducentar librar ac de & in uno capital
 Messuagio uno Columbar cum omnibus
 homibus ateris pomariis gardinis & He-
 reditamentis quibuscumq; eidem Messua-
 gio spectant communiter vocat D. place scit
 & existend in D. p̄dict in Com p̄dict modo
 vel nuper in tenura sive occupatione W. R.
 vel Assignd suor clari annui valor (Et.) ac
 de & in uno Clauso Pasture cum pertind com-
 munit̄ vocat sive cognd per nomen de le hither
 Grove continend per estimacionem quatuor de-
 cim Acres jacent & existend in Parochia de
 D. p̄dict modo vel nuper in tenut (Et.) ac de
 & in diversis Cataractis Anglice vocat Fish-
 ing Wears in Rivo de W. possit & erect cum
 pertind & libera piscaria in eodem Rivo in-
 tra parochiam p̄dict ac de quibusdam Insu-
 lis vocat lles cum Salicibus plantae in eo-
 dem Rivo infra eandem Parochiam modo
 vel nuper in tenura (Et.) clari (Et.) ac de &
 in uno Molendino cum pertind vocat a Pa-
 per Mill, & duabus Acres prati cum pertind
 cum eodem usitat & occupat cum omnibus
 aquis Ribus aquar cursibus stagnis ripis
 & Hereditamentis quibuscumq; Molendino
 p̄dict spectant vel cum eodem usitat situat
 (Et.) Et Juratores p̄dict super sacramento
 suum p̄dict ulterius dicunt qd p̄dictus W.
 B. Wil & Wat dicto die Recognd debi in hie-
 bi p̄dict mentonat seiscus fuit & adhuc sel-
 titus existit in dominio suo ut de libero Te-
 nemento pro Termino vite sue remaneat Dñe
 Margarete ux sue pro Termino vite ipsius
 Margarete remanere Heredibus Masculis
 corporis p̄dict W. B. de corpore p̄dict Dñe
 W. procreat remanere rectis Heredibus ip-
 sius W. B. de & in Messuagiis terris Censu

In Canc.

mentis & Hereditamentis cum pertinē hie
 postea mentonat (viz.) de & in toto illi capi-
 tal Messuagio vocat the Mansion House of
 D. Court, cum omnibus Domibus Porreis
 stabulis atreis Pomariis Gardinis Tene-
 mentis & Hereditamentis quibuscumq; ad-
 inde spectand vel cum eodem usitat & occupat
 jacent (et.) Et Juratores pdict super sacra-
 mentum suum pdict ulterius dicunt qd pdict
 W. B. pdict tempore Recognitionis debiti in
 hzebi pdict specificat & semper postea hucus-
 que fuit & modo existit seistus in dominico
 suo ut de libero Tenemento p Termino vite
 sue remanere dicte Dñe W. modo urozi sue
 remanere eidem W. B. & Heredibus suis
 de & in omnib⁹ & singulis Messuagiis terris
 pratis Pastus Tenement hie postea mentonat
 (videlicet, et.) omnia que quidem Maneria
 Teri Tenement & Hereditament pdict que-
 cumq; cum pertinē tam unde pdict W. B. sei-
 situs existit in feodo simplici ut pferetur
 qm unde idem Willus seistus existit pro
 Termino vite sue remanere in forma pdict
 spectand ac etiam pdict reversionem pdict a-
 lior⁹ terrar & Tenement cum pertinē con-
 tingend ab & post mortem pdicti C. D. vis
 Ego pstat hic pdict die captionis huius In-
 quisitionis Virtute hzebis pdict juxta verum
 valorē eorundem supradict extendi & in ma-
 nus dicti Dñi Regis seistri feci prout istud
 hzebe in se exigit & requirit Et Juratores
 pdict ulterius dicunt qd pdict W. B. non
 habet aliqua bona seu catalla nec al sive plue
 terras sive Tenementa in balliva mea nec
 habuit die Recognitionis debiti pdict in
 hzebi pdict specificat seu unquam postea ad
 noticiam eorundem Jur Et Juratores pdict
 super sacramentum suum pdict ulterius
 dicunt

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dicunt qd p̄dictus W. B. p̄dicto tempore. Re. In Canc'.
 cognico debiti p̄dict in brevi p̄dict specificat
 & semper postea hucusque seistus fuit &
 modo seistus existit sibi & Heredibus suis
 de Rebertone conginged de medietate post
 mortem Dñe M. P. vis matris ipsius W. &
 modo superstitis & in plena vita sua existend
 de & in quibusdam (Et.) In cuius rei Testi-
 monium, &c.

H. M. Bar' Vic'.

Vide Offic' Brev', 207.

Liberate in Canc'.

N. Dño Regi in Cancellar sua infra script
 ad diem & locum infracontene ubicunq, &c.
 certifico qd Virtute istius brevis mihi directi
 nono die Maij anno decimo Regni Domini
 Regis infrascripte liberari feci infranominat
 Johi D. omnia & singula Mesuagia sive
 firmas Columbar p̄p̄r Stabul, &c. cum
 pertind per Extene infrascripte tenend' sibi &
 Assign' suis ut liberum Tenementum suum
 quousq sibi de debito quinquagine libe in bre-
 vi p̄dicte specificat unacum dampnis mis &
 expens suis que in hac parte rationabilie su-
 stind plenat fuit satisfac prout istud breve in
 se erigit & requirit Ac prout interius mihi
 p̄cepitur Et ulterius certifico qd infrano-
 minat Johes Doo Laicus est & non est in-
 vene in balliva mea.

T. K. Ar' Vic'.

Offic' Brev', 222.

Liberate sur Extent. Rast. Ent. 598.

Virtute, &c. libavi infranominat W. B.
 Masia terras & Tenemene infrascripte ha-
 bend

In Canc.

¶ **W**end sibi & Assignis suis ut libum Tenementi
sui quousq; sibi de debito infrascripte unacum
dampnis suis & expensis suis fuerit satisfactum,
ut, &c.

Vide Kitch. 271. a. & Wilk. Eng. 330. Dalton, 261.

Aliter.

¶ **V**irtute, &c. Dñs Regi in Canc sua ad
diem & locum infrascripte ubicunq; tunc fue-
rit certifico qd tali die & anno seiam & pos-
sessionem de & in Maniis terris & Tenemen-
tis infraspēc infranominat D. C. liberavi
secundū exigentiam istius brevis Ac infranomi-
nat D. M. non est invene in ballia mea.

Vide Kitch. 271. a. & Wilk. Eng. 330.

Aliter.

¶ **J.** M. infrascripte non est invene in ballia
mea Ideo ipsum capere non possum ad pre-
sens, sed quoad extendi & appreciandi omnia
terras & catalla ipsius J. M. iuxta formam
istius brevis, Cetero inde patet in quadam
Inquisitione huic brevi consue. Que quidem
terras & catalla in dea Inquisitione contine-
re in manus Dñi Regis leisi feci, &c.

Vide Kitch. 271. & Wilk. Eng. 331.

Retorn of an Inquisition upon an Elegit, is-
suing out of Chancery, upon a Recognizance
taken there.

¶ **I**nquisitio Indentae cape apud S. in
Comitatē pdicti (tali die & anno) coram me
D. C. Bar. Die Comd pdicti virtute brevis
Dom Regis mihi directi & huic Inquisitioni
annexi

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In Case

anner (A. R. M. B. & ceteri terrarum
tenent in hiebi pda nominat per me inde
prius premunie existens si interesse volue-
runt) per sacramentum F. B. G. (et ceteri
qui Turas & onerat existens dicunt su-
per sacramentum suum ad unum molendinum
aquaticum cum pertinentiis communiter vocat
Horne Milne & ler Acc ppari & Dalture et
idem molendino aquatico vocat Horne Milne
spectant sive pertinent sicut jacent & existens
in Parochia de M. & C. in Com pda leu
in earum una & in hiebi pda mentionat ac
modo vel nuper in tentura sive occupatione
cujusdam J. C. vel assignatorum suorum
in eodem hiebi nominat sunt Clari annui
valoris in omnibus exitibus ultra reppilas
decem librarum, &c. (and so set out all the par-
ticulars) Quam quidem medietatem scilicet
pda molendinum aquaticum vocat Horne
Milne & cetera premissa pda in ista Inqui-
sitione prementionat cum pertinentiis ego
presat hic postea scilicet (tali die) [pda A.
R. M. B. &c. tere & tenent pda per me inde
premunie existens si interesse voluerint] li.
berari feci C. B. bis in eadem hiebi simili-
ter nominat (per C. B. G. & ceteri in hac
parte certum Assignatum sive Assign legit-
time constitue) tenent medietatem pda cum
pertinentiis sibi presat C. B. & Assign suis
ut liberum Tenementum suum quousque tre-
scant libe bone & legalis monete Anglie ple-
nat fuerint inde lebat juxta exigentiam e-
jusdem hiebis ac prout per idem hiebe mi-
hi precipitur. In cuius rei Testimoni-
um, &c.

Liberari
per Attoin.

R. E. Bai' Vic.

Vide Dakon, 549.

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Of Liberate out of Chancery.

Virtute hujus hzebis deliberavi infranominat J. S. Chaneria Writuag parce hosc de omnia & singul rere & Tenementa cum pertid inframentonac habent sibi & Assign suis tanqud liberum Tenement suum quousq plenae satisfact erit de debito inframentonac cum dampnis mis & cullag suis raconabilie sustene put per istud hzebe pcepte Et ulterius certifico dicto Dno Regi qd infranominat R. W. non est invent in balliba mea.

R. S. Ar Vic.

Vide Wilk. on Greenwood, 229.

Aliter Secundum Dalton, 261.

Virtute istius hzebis (tali die & anno) liabi J. S. infranominat Chanerid infra spec cum pertid tenent sibi & Assign suis ut liberum tentd suum quousq sibi de debo infrascript una cum dampnis mis & expens que in hac parte raconabilie sustinuit plenae satisfact fuerit put istud hzebe erigit & requirit. J. S. infranominat non est invent in balliba mea.

Note, Upon a *Liberate*, if the Sheriff hath duly executed the Writ, and paid the Money to the Plaintiff. Its said he need not Return the Writ. *Dalton*, 261.

Aliter.

Virtute istius hzebis mihi direct Dimiss infrascript vendidi p summa 10 l. Et denar
ill

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ill habeo coram Justic infrascript ad diem In Canc.
 & locum infrascript ad reddend infranomi-
 nat E. W. in parte debi sui infrascript ace-
 ciam virtute hzebis pdict teri & Tenementa
 in forma infrascript extendit (tali die, &c.)
 deliberavi pzetat E. W. tenend ut liberum
 Tenement suum sibi & Assign suis secundum
 form Statut pdict infrascript prout interius
 mihi pcepit.

Vide Brev. Judicial' 258. vide postea sur Ex-
 tent' & Inquisition' in le Excheq; de tribus parti-
 bus Mannerij sur Lease.

Ne Exeat Regnum.

ff. Ante adbentum istius hzebis & ante
 aliquam Executionem ejusdem A. B. C. D.
 E. F. &c. vidi coram me J. D. vic W. &
 manuceper coram me pzetat vic p T. W. viz.
 quilibet Manucaptor pdict subpena decem
 Libi Quod idem L. citra Crastin animam pr'
 futur vers partes transmarin ad aliqua die
 Dño Regi aut aliquib' de populo dicti Dñi
 Regi pdictia sive damnosa ibidem psequens
 seu attemptans se non divertet nec quicquid
 ibidem psequat quod in dicti Dñi Regis seu
 populi sui prejudic vel dampnū aut Stat
 Rñi sui Angl eversionem cedere valeat nec
 aliquem vel aliquos illuc mitteret ex hac
 causa, quam quidem summam 10 l. iidem
 Manucaptor concessit & quilibet eorū per se
 concessit de terris & catallis suis ad opus
 dicti Dñi Regis levare si idem L. aliquid
 contra formam manucaptoū pdict fecerit
 seu fieri fec vel attemptaverit quoquo mo-
 do Et hic est tenor securitatis unde inte-
 rius fit mentio quem dicto Domino Regi in
 Can.

In Canc'.

Cancellariam suam ad diem & locum, &c. mitto.

Kitch. 274. b. Dalt. 298. Wilk. Eng. 339.

Proclam' ex Cancell'.

N. Virtute istius brevis mihi direct publicam Proclamationem feci infra ballivam meam qd infranominat H. B. sub pena Regantie sue coram Dño Rege in Cancellaria sua infrascript ad diem infracentent compareat put interius mihi precipit necnon dño Domo Regi certifico qd infranominat H. B. non est invent in balliva mea.

Kitch. 275. a. Dalton, 298. Wilk. Eng. 340.

Aliter.

N. Dño Reg in Canc sua infrascript certifi- co qd virtute istius brevis mihi direct in om- nib; & singlis locis infra ballivā meam tam infra Libertat qm̄ extra ubi magis expedire vider faciens & ex parte Dñi Regis publice Proclamar feci modo & forma infrascript put interius mihi precipit. Offic' Brev' 221.

Proclamations for Persons to surrender them- selves to the Sheriffs, that the Sheriffs might have then before the Justices. Kitch. 265. Aliter per Regem ubicunq; &c. ibid. Vide Wilk. Eng. 316. Lat. 148.

Premunire.

N. Virtute istius brevis (tali die & anno) per J. S. T. W. R. T. & C. F. probos & le- gales homines de balliva mea pmunire feci W. R. Cleric infranominat qd sit coram Dño Rege ad diem infracentent ubicunq; &c. ad faciend & recipiend put istud breve in se erigit

exigit & requirit Et J. B. & ceteri Des. In Cane.
infranominat nihil habent in balliba mea p
quod eis Premunire fatere possum nec sunt
inbene in eadem.

Kitch. 275. a. Fitz. Ret. 61. & 65. Dalt. 267.

Wilk. Eng. 340. Lat. 149.

Supplicavit.

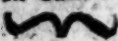
It. Ego J. D. miles Dic Com infraspes
Dño Regi in Cane sua certifico Qd ante ad-
ventum istius hzebis A. B. infranominat
cape fuit in balliba mea & in pñsona Dñi
Regis ibidem sub custod mea detene virtute
cujusdam alterius hzebis huic hzebi consue
pro quo quidem pñat A. B. ante advente
istius hzebis tradit fuit in ball A. B. C. D.
E. F. & G. H. qui manucepet & quilibet eorū
manucepit per se pro pñat A. B. sub pena 10 l.
qd ipse dampnum vel malum aliquod H. P.
in dicto hzebi de supplicabit spec infra (item
diem) pñ futur non faciet nec fieri procura-
bit quovismodo quas quidem 10 l. pñat Ma-
nucaptor concessit & quilibet eorū p se con-
cessit de terris & catallis suis & cujusslibet eorū
ad opus dicti Dñi Regis levare si dampnum
vel malum aliquod eidem H. P. per pñfat
A. B. aut per procuratorem suam interim
eveniat ullo modo, &c. Et hec est secur pacis
quam pñfat A. B. coram me invenit, &c.

* Vide Dal-
ton, 299.
Who says
pro qua
quidem
querel' pro-
fat' A. B.
&c. ut ante.

Kitch. 274. a. Wilk. Eng. 338.

It. Sub qua quidem balliba pñfat C. per-
missus fuit ire ad largum extra pñsonā pñfat
& postea ad custod meam non rebenit qua-
propter Corpus pñfat C. coram Dñm Rege
ad

Vel &c.

In Canc^r. ad diem & locum infra content^r habere non
 possum.

Ibid. Kitch. & Wilk. Eng. 339.

Vel sic.

A. Ego, &c. Dñs Regi in Cancellar sua
 certifico, qd R. P. infranominat nullam mi-
 hi inveniit securitatem Pacis de qua interius
 fit mentio sed in pñsona Dñi Regis sub custodi
 mea ad pñsens residet.

Ibid. & vide Dalt. 299. Kitch. 274. a. Wilk.
 Eng. 339.

Vel sic.

Si. Pro quibus quidem querelis de minis
 pñsens J. B. ante adventum istius brevis
 tradit fuit in balliva quibusdam A. B. C. D.
 E. F. & G. H. qui manuceper & quilibet eor^u
 manucepit sub pena 20 l. pro pdice J. B. qd
 ipse dampnum vel malum aliquod pñsens P.
 P. & C. D. aut eor^u alteri citra Crm^r Niaz^r
 pñ futuri non fac, nec fieri pcurabit quas
 quidem 20 l. pñsens Manucepe concessit & qui-
 libet eor^u concessit de terris & catallis suis
 & cuiuslibet eor^u ad opus Dñi Regis Leva-
 ri & dampnum vel malum aliquod eidem
 P. P. & C. D. aut eor^u alteri p pñsens J. B.
 aut pcuratone sua interim eveniat ullo mo-
 do sub qua quidem balliva, &c. ad lar-
 gum, &c.

Idem Kitch. 274. b. Wilk. Eng. 339.

Significavit.

Virtute, &c. cepi corpus infranotat A. B.
 cuius quidd corpus remanet in pñsona Dñi
 Regis de M. sub salva custodi mea donec &c
 Ecce tam de Contemptu qm de injur ei
 illat

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illae ab eo fuerit satisfactae put istud breve in se ^{in Canc.} exigit & requirit.

Vide Offic' Brev' 224. Wilk. Lat. 155.

Aliter cum Proclam'.

Infranominat A. B. non est invene in bal-
liba mea sed virtute istius brevis mihi di-
rect' in pleno Comd meo tene apud P. in Comd
infrascripte 15 die Maij anno infrascripte
publice Proclamae feci qd infranominat A.
B. infra sex dies pr' post Proclamae illi cor-
pus suum reddat in forma infrascripte prout
breve istud in se exigit & requirit.

J. B. Ar' Vic'.

Vide Offic. Brev. Wilk. Lat. 155. 225.

Securitas Pacis per Justic' Pacis.

N. Ego J. D. unus Justic' Dñi Regis in
Comd D. de pace conservanda Assigno mitto
coram Dño Rege in Cancellariam suam teno-
rem Securitat' Pacis de qua in dño brevi sit
mencō sub sigillo meo put istud breve in se
exigit & requirit, &c. Que quidem Securi-
tas huic brevi est consue. Kitch. 276. b. Dalt.
299. Securitas Pacis prout est capt'. Wilk.
Eng. 344.

Respons' per Major' Civit'.

Respons' T. F. Major' Civit' D. ac Un' Justic'
Dom' Regis ad Pacem in eadem Civitat' con-
servand' Assign'.

N. Virtute, &c. omnes & singulas Recognō
quas A. B. & ceteri infranominat coram
Justic' infrascripte nuper fecer' cum omnibus
eas

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In Canc'

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Was tanged coram Dño Rege ad diem &
locum infracentene mitto sub sigillo meo
presene annex' put interius, &c.

T. F. Major' Civit'.

Kitch. 276. b. Wilk. Eng. 345.

It is made a Qestion, if a *Supplicavit de Pace* Issue out of the *Queen's Bench*, and in the mean time upon Surety found in the *Chancery*, a *Suppeditas* comes to the Sheriff to Surcease, whether it shall be allow'd, for the *Queen's Bench* is said to be the higher Court. *Crompt. Jar' dei Courts*, 74. & 28. *Dalt.* 299.

If it be directed to the Sheriff, and all the Justices of the Peace of the County, and delivered to the Sheriff, its said he is to grant his Warrant to bring the Party before him alone to find Sureties, and he is also in every behalf to do therein as the Writ directeth.

The Sheriff may command his Bayliff, or the Constable to carry the Party to Prison; yet he cannot give them power to take the Security for the Peace, for that being a judicial power cannot be assigned over. *Br. Deputy* 20. *Dalton*, 306.

A Certificate by Sheriff and Coroners, that J. T. hath given Security for his Good Behaviour, before the allowance of his Pardon, grounded on *Stat. 10 E. 3.*

Nos R. M. M. & R. F. M. de Civit
Lond & C. M. Coronatoz ejusdem Civit
serenissimo Dño Regi in Canc sua humillim
certificamus Qd virtute hzevis Dñs Regi
huic Schedule annex' nob directe cepimus bo
nam & sufficiend Securitatem pro J. T. in
deco hzevi nominar, viz. sex manucaptos
sufficiend

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sufficiend qui suscepit super se **Qd** idem **J.** In Cane.
 seipm bene gereret tam erga dictum Dominu
 Regem nunc heredes & successores suos qua
 erga cunctum populum dicti Dom Regis se-
 cundum formam Statut in brevi p'dicta men-
 tionae Cujus Securitate forma in altera Sche-
 dula huic brevi annex' plenius liquet & ap-
 paret In cuius rei Testimonium tam p'fue
 hic quam Coronator p'dictis presentibus si-
 gilla sua apponi fecer' 22 die Aprilis anno
 t'nti dicti Dom Regis nunc 16. In another
 Schedule annext is mentioned the Security it
 self. Vide Dalt. 555. & Rast. Ent. 453.

Retorn' brevis de Securitate Coron. Vide
 Offic' Brev' 214. & postea int Brevia de Banco
 Regine, &c.

Retorn' pro Cancell' seu Custod' Rotulor'.

N. Virtute, &c. Scrutae fuit intra Record
 Cancell' Dom Regis infrascripte Et in eisdo
 seu eorum aliquo nullum Record p' tie D'ni
 Regis adhuc invenio per quod constare po-
 test de aliquibus terr' seu Tenementis cum
 p'tiis in B. in C. que nuper fuer' infranomi-
 nae J. S. que ad manus dicti Dom Regis
 unquam debener' put in isto brevi supponit.

Kitch. 276. Wilk. Eng. 344.

Replevin & Averia Elongata

Virtute, &c. Dom Regid in Cancellae
 sua certifico qd Averia & catalla per infra-
 nominae M. B. prius cape Elongae sunt ex
 Com infrascripte ad loca mihi ignot per in-
 frascripte T. R. que averia & catall infra-
 scripe

In Canc'. scribe R. Nec non possum put interius mihi
precipit. Vide Kitch. 262, b. Wilk. Eng. 310.

*Scire facias against a Terro-Tenant out of
Chancery.*

N. Ego R. C. N. Dic Com p'dice Dom
Rege in Cancellat sua certifico qd virtute
brevis mihi direce per P. P. & J. W. p'bos
& legales homines de balliva mea Scire feci
R. G. tenend duorum horeo' quinq' sepeal
perciat sive parcel terras arabilis p'ati &
Pasture continend & existend in sepeal Pa
rochiis de B. & L. in Com p'dice. Acetiam
D. S. Tenend unius Mesuagij unius horei
unius stabuli & unius Pomarij cum pertid
& trigine Acrei terre arabilis sitat jaced
& existend in Parochia de B. p'dict Que om
nia p'missa terre & Tenement superius spe
cificae cum pertid fuerunt teri & Tenement
S. B. in brevi p'dict nominat die Recogni
tionis in brevi p'dict specificae scilicet octavo
die Octobris anno Regni Regis Caroli pri
mi, &c. decimo septimo in brevi p'dict men
tionae qd sint coram Dom Rege in Cancellat
p'dict ad diem in eodem brevi Contene ubi
cunq; &c. ad ostens in forma infrascripte si
quid, &c. p'out istud breve in se exigit &
requirit.

Acetiam certifico qd non sunt aliqui alij
tenene aliquor sive plur teri & Tenement que
fuerunt ejusdem S. B. tempore Recognitio
nis debiti p'dict seu unquam postea in balli
va mea cui vel quibus Scire facere potui
p'out interius mihi precipitur. Offic' Brev'
230.

T. H. Mil' Vic'.

Scire

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In Canc.

Scire facias sur Recogn' Execution' de default.
Et Elegit de parte debiti agard' & Execut'.
Ras. Ent. 450.

Aliter.

Virtute, &c. Scire fac W. C. qd sit coram
Dom Rege in Cancellaria sua ad diem in-
fracontente ubi tunc fuerit in Angl' ad
ostendend' & ponend' prout istud breve in se
exigit & requirit per J. M. & M. B. probos
& legales homines de balliva mea juxta for-
mam hujus brevis. Kitch. 269. Wilk. Eng.
362.

Summons.

Retorn' brevis Summonitionis Delinquen' es-
send' in Parlamento.

N. Et hic modo mand qd assumptis secum
C. W. W. filio R. de G. de W. & R. de P. qua-
tuor milie, &c. in ppi sua psona accessit apud
S. ad Maner pdice R. & in ptesentia eorumdmd
milie Rufford pdice R. ei firmie injunxit
qd esset coram Dom Rege in isto Parlia-
mento juxta formam & tenorem Mandati pre-
dice, &c. Vide Appendic' ad brev' Orig' fol. 1.

Retorn' de Summon' Parliamenti.

Executio istius brevis patet in quibusdam
Indentur huic brevi annex'. Vide Ante, &c.

De Summon' Milit'.

Virtute, &c. Sum feci A. B. Mil' unum
Mil' de Com' Meo gladio cinctum per B. C.
D C.

In Scacc.

¶ **E. B.** qđ sit coram Justic infrascripte ad diem & locū infranominat prout istud breve in se exigit & requirit Manucapē infranominat **A. B. B. C. & C. B. J. D. R. R.** Eric eorū cujussibet eorum 20 s. Vide Kitch. 268. b. Dalt. 266, &c. Offic. Brev. 199. & Wilk. Eng. 325. Lat. 126.

Retorn' brevis de Summons coram Justic Foreste, vide postea in le Excheq; Et vide Kitch. 275. a. & Wilk. Eng. 341.

Attachment.

¶ Infranominat **A. B.** Nihil habet in balliva mea, per quod potest Attachiari vel ubi eum sum possū.

¶ Infranominat **A. B.** Attachiat est per Pleg' **J. D. R. R.**

¶ Baronibus, &c. certifico Qđ infranominat **A.** & ceteri Defend non sunt nec eorū aliquis est indene in balliva mea.

G. F. Ar' Vic'.

Attachment'
Trin. 5 W. & M.
London'.

Virtute istius brevis nob direct repim' corp' infranominat Jacobi Hadley cujus quidem corpus coram Baron de Seciō Dñi Regis & Dñe Regine infrascript ad diem & locum infrascript content parat hemus.

Respon'.

Williel' Hedges, Mil'.

&

Tho' Abney, Mil'.

} Vic'.

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Attachment.
Trin. 5 W. & M.
London.

Infranominat Jonath Rapmond
non est invent in balliba nra.

Respon.

Thomæ Cooke, Mil.

&

Thomæ Lane, Mil.

Vic.

Attachment.
Cum Proclam.
Mich. 5 W. & M.
Midd.

Virtut istis mihi hys direct in om-
nib' & singulis locis in balliba mea
ubi magis expediri vidi publice
Proclari feci prout interius mihi
precipiti Et ulterius certific qd in-
franominaat Edus non est invent in
dca balliba mea.

Respon.

Thomæ Lane, Mil.

&

Thomæ Cooke, Mil.

Vic.

Consimil' At-
tachment cum
Proclamac.

Dors.

Mich. 5 W. & M.

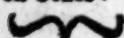
Virtut hys istis mihi direct pub-
lic Proclamar feci qd infranominaat
Samuel Young subpena llegeanc sue
personalit compareat coram Baro
infrascript ad diem & locum infra
content put interius mihi precipiti
Et ulterius certifico qd pō Samuel
non est invent in balliba mea.

Georgius Ford. Ar' Vic.

Breve de Ap-
preciament.

Executio istius brevis patet in qua-
dam Identur' huic annex.

This Indenture made the nine-
teenth day of June, in the Year of
our Lord Christ, 1694. and in
the sixth Year of the Reign of our
Sovereign Lord and Lady William and
Mary, by the grace of God, King
and



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and Queen of England, Scotland, France
and Ireland, Defenders of the Faith,
&c. Witnesseth, That we Thomas
Raylton, and William Walterer, their
Majesties Appraisors, in pursuance of
a Writ out of their Majesties Excheq;
unto us directed, and hereunto annex-
ed, have number'd, valued, tasted, view-
ed, weighed, measured, and appraised
upon the Oaths of Nathaniel Wicks,
and Richard Boys, the several Goods
and Things hereafter mentioned as
followeth, viz.

Imprimis, &c.

Capias & Cepi in manus.

N. Infranominat Dña J. S. Nihil habet
in maneb tere & Tenemene infrascripte nisi
cum J. S. At quem ipsa accepit in virum.
Kitch. 276. b. Dalt. 302. Wilk. Eng. 345.

Cepi corpus.

N. Virtute istius hrebis mihi directe Cepi
corpus infranominat J. S. cujus corpus co-
ram Baro infrascripte parat habeo prout
interius mihi pzetipit. Ibid. Kitch. & Dal-
ton 300. & Wilk. Eng. 345.

Cepi tam corpus quam terras.

N. Virtute isti' hris mihi directe, Baro
infrascripte certifico qd Cepi corpus infrano-
minat J. S. cujus corpus coram dice Baro
parat habeo ad diem infrancontene necnon
20 die

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20 die Jani anno 3 infrascripte cepi in manus dicti Domini Regis nomine distractionis cert^u terri & Tenementa infranominat J. R. jace^{re} & existere in B. annui valor cene solidi put h^{ab}ere istud in se exigit & requirit. Ibid. Kitch. & Dalt. Offic. Vic. 300. & Wilk. Eng. 345. Lat. 152.

Cepi terr^a, &c. nomine distractionis.

ff. Infranominat J. C. non est inventus in balliva mea nec habeo ult bona seu catalla in balliva mea sed virtute istius h^{ab}ebis mihi direct^u Baroni infrascripte certifico qd 15 die Junij anno 3 Domini Regis infrascripte cepi in manus dice^{re} Domini Regis nomine distractionis 7 mess^{es} sive tene cum pertine in D. que sunt clari annui valor 50 s. & unum capital^e Mes^{su} suag sive firm^u cum pertine in D. annui valor quinq^{ue} marcarum. Kitch. 277. a. Dalton 301. Wilk. Eng. 346. Lat. 143.

Aliter sur Cape in manus de Mess. & Tenem^u.

ff. Infranominat A. B. non est inventus in balliva mea. Et ulterius Baroni infrascripte certifico qd virtute istius h^{ab}ebis mihi direct^u (tali die & anno) cepi in manus dicti Domini Regis unum mess^{es} sive tentum cum pertine in B. in Com^u D. infrascripte annuat valor 10 l. ut de terris & testis infranominat A. B. necnon 6 vaccas unum taurum & unum spadonem pretij in toto 8 l. de bonis & catallis ejusdem A. B. nomine districe prout mihi precipie que quidem omnia bona & catalla penes me remanent in vendit^u pro defec^{tu} Empe Et idem A. B. nulla alia sive plura bona seu catalla terre seu testia het infra ballivam

In Scacc.

Wallibam meam que in manū dicti Dñi Regis ad p̄sens aliquo modo capere vel seiscire possum. Ibidem Kitch. & Dalton, 301. Wilk. Eng. 346.

Aliter against a Collector, &c.

N. Virtute istius brevis mihi directe decimo die Julij anno Regni Domini Regis nunc, &c. duodecimo apud D. in Com̄ Cane infrascripte cepi in manus dicti Domini Regis nomine districtionis unum Mesuagium sive Tenementum vocat B. cum ducene Acris Prati & Pasture jacent in D. in Com̄ p̄dice annui valoris in omnibus exitibus ultra rep̄is viginti Librar̄ de Terris & Tenementis infranominat C. B. Gen̄ Collector, &c. Et p̄dice C. B. nulla alia sive plū habet Terras sive Tenementa in Com̄ p̄dice que in manus dicti Domini Regis capere possum & non est invene in balliva mea. Offic. Brev. 223.

Aliter Secundum Offic. Brev. 218:

N. Baronibus infrascripte ad diem & locū infracontene certifico qđ virtute istius brevis mihi directe sexto die Januarij anno 12 Regni Regis infrascripte cepi in manibus dice Domini Regis nomine districtionis und capital Mesuag vocat A. cum edific & structur ibidem spectand unum Gardinū unum Pomar & sex Acras Prati situate jacent & existend in Parochia de A. in Com̄ H. infrascripte in tenura sive occupatione A. B. vidue vel Assigni suor clari annui valoris in omnibus exitibus ultra rep̄is duodecim librar̄ de terris & Tenementis infranominat C. B.

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C. B. tempore mortis sue & pcedice **C. B.** In Scacc.
nulla alia sive pluri habet terras sive Tene-
menta in Com pcedice que in manus dicit
Dominū Regis capere possum pcedit interius
mihi pcedit, &c. Offic' Brev' 218.

Aliter.

N. Baron infrascripte certifico qd virtute
istius brevis mihi direct' 8 die J. anno, &c.
infrascripte cepi in manū Dominū Regis Ma-
nerium de S. cum pertinē infrascripte pcedit
interius mihi pcedit. Kitch. 227. & Wilk.
Eng. 346, 347. Lat. 152.

Et si sit cum Inquisitione pro annuo valore
tunc ut sequitur.

Residū Executionis istius brevis patet in
quadam Scheda huic brevi consue (vel sic)
patet in quadam Inquisitione huic brevi con-
sue. Ibid. & Dalt. 301.

N. Inquisitio indentae cape apud S. in Com
pcedit 8 die J. anno, &c. coram me J. D. Mil-
vie Com pcedit virtute brevis dicit Dominū
Regis clausū mihi directe quod est huic In-
quisitioni annex' per sacrum J. D. R. R. &c.
probozum & legal' hominū Com pcedit qui di-
cunt super sacrum suū qd Manerium de S. ad
ptinē est annui valor s. l. ultra omnia oīa &
reppis. In cuius rei testimonium, &c. Ibid.
& Dalton, 300 & 302. & Wilk. Eng. 347. vide
postea Inquisitio.

D 4

Aliter

Aliter in alio Com^o.

C. Manet de **B.** infrascripte jacet in Com^o **C.** & non in Com^o **D.** ideo tenentes inde distringere non possum put interius mihi precepit. Idem ibid. Vide postea Distringas.

Aliter.

Baron infrascripte certifico qd omnia ten^{ta} & ten^{ta} que fuer infranominat **P. f.** aut al antecessorum suorum jacent in Com^o **B.** & non in balliva mea. Wilk. Lat. 145.

Aliter sur Cape in manus.

A. Virtute, &c. 10 die **B.** anno rñi Dom^o Regis infrascripte scio Ego **J. S.** die **D.** infrascripte cepi & resumpsi in man^u Dom^o Regis seissibi omnia ten^{ta} shoppas gardina & omnia al p^{ri}ned^u virtute bzevis p^{re}dice resu^{men} que patent in Inquisic^o huic bzevi consur. Idem Kitch. 278. 2. & Dalton, 301. Wilk. Eng. 350.

Qd' Defend' est Vic' Com' B.

A. Infranominat **C. B.** est vic Com^o p^{ri} & est comozans in dicto Com^o **B.** & non est inventus in balliva mea. Dalton, 302. vide postea Distringas. Wilk. Lat. 145.

Cepi in manus quandam Dimissionem, super Inquisitione.

Inquisic^o, &c. qui die super sacm^u suum qd **J. W.** in bzevi p^{re}dice nominat die rapt^o hujus

In Scac'. hujus Inquisitionis fuit possessionae de quadam
 Dimissione p termino 20 annoꝝ unius mēis,
 &c. in A. in Com p'dice cum p'tin annui va-
 loꝝis in omnibus Erie ultra rep'is 4 l. quod
 guidem dimissionem Ego p'fat vic die capto-
 nis hujus Inquisitionis cepi in manus dicti
 Domini Regis. In cujus Rei testimoni-
 um, &c. Et vide postea Tit. Extens' & Inqui-
 sition', vide Dalton, 307. Wilk. Lat. 156.

Cepi Corp'.

Com' Rebell'. Trin. 5 W. & M. Virtute Commissionis infrascripte mi-
 hi & al' infranominat directi Cepi
 corpus infranominat Abel Bur-
 roughs & corpus ejus coram Ba-
 ron infrascripte ad diem inframen-
 sonae parae heo put interius mihi
 p'cepit.

Respons'.

Ed. Crouch un' Commission' infr'.

Consil' Com' Rebell' eisdem Term' & Anno. Baron infrascripte certifico qd
 infranominat Marcus Kempe Eli-
 zabeth Maundy, Marian Munsford &
 David Shank non sunt indene nec
 eoz alter est indene infra Regnū
 Anglie aut Domini Wallie vel Ville
 Berwic super Ewed.

Respons'.

Will' Dowse.

Com' Rebell'. Mich' 5 W. & M. Memorandum, That I the within na-
 med William Plymer, one of the Com-
 missioners therein named have made
 diligent Search, and Inquiry after the
 within named Bartholomew Alford, but
 cannot

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I cannot find him, whereby to apprehend and take him into Custody.
Witness my Hand this 12th Day of December, 1693.

Will Plymer.

Retorn of an Inquisition upon a Writ of *Diem Clausit Extremum* of Household Goods, and a Bond for Money.

N. Inquisitio Indentae cape apud **M.** in Com p'dice (tali die & anno) coram me **M.** **M.** Bar vic Com p'dice virtute brevis Dom Regis de diem Clausit extremum mihi dicere & huic Inquisitioni annex' Per Sacramentum **J. B.** &c. proborum & legalium hominum de balliva mea qui onerat & Jurat existend dicunt super Sacramentum suum quod **J. B.** in p'red brevi nominatus, obiit apud **H.** in Obiit scit'. Com p'dice circa tres menses jam ule elaps ante diem captionis hujus Inquisitionis & tempore mortis sue seissus fuit in dominico suo ut de feodo de & in uno Messuagio cum area & pomar eidem spectad & pertined cum pertinentiis situar jaced & existend in Parochia de **H.** in Com p'dice modo vel nuper in tenura sive occupatione cujusdam **C. C.** vel assignatoꝝ suorum clari annui valoris in omnibus exitibus ultra reppilas viginti solid' ac etiam Jue p'red super sacramentum suum p'dice similiter dicunt qd p'dice **J. B.** possessionatus fuit ut de bonis & catallis suis propriis, de & in una dimissione pro Termino tresdecim annorum tunc ventur & inexprae sibi p'elae Johanni in vita sua per quendam **P.** Gen per Indenturam face & sigillae de & in uno Messuagio cum areis Gardinis & pomariis eidem spectad & pertined

A T. case found.

tinent situae & existent in Parochia de H. pd' In Scacc.
 nuper in occupatione prefat J. B. vel assigna-
 torum suorum & modo in occupatione E. B.
 vidue nuper uxoris ejus vel assignatorum su-
 orum ac una de parcella sive clauso terre cum
 pertinentiis jacent & existent in predicta Pa-
 rochia de H. pdice continend per estimationem
 tres acras sive plus sive minus dicto Mesua-
 gio ul' recitae spectant sive pertinent modo vel
 nuper in occupatione prefat E. B. vidue vel
 assignatorum suorum huc quidem dimissio dice
 Mesuag' & premis ul' recitae ac termin
 Stae & interesse de quibus idem J. B. p'ed
 tempore mortis sue sic ut prefertur possessio-
 natus fuit valent ad vendend decem libras Valor' in-
 legalis monete Anglie ultra omnes reddit⁹ de.
 & redditas Et ulterius Jui p'edice simili-
 ter dicunt super Sacramentum suum p'edice
 q's p'edice J. B. tempore mortis sue posses-
 sionae fuit ut de bonis catallis & utensiliis
 (Anglice Household stuff) cum pertinentiis Household-
 particulariter mentionae & exp'ess in In-
 ventorio sive Scheda indentae & dicto brevi
 huic Inquisitioni annex' ac per Jui p'edice
 app'eciae ad separales summas & valor in
 eodem Inventorio sive Scheda similiter
 specificat & que in toto attingunt ad summa
 viginti & quatuor librarum quequidem bona
 catalla & utensilia sunt jacent & existent in &
 circa pdice Mesuagium & Areas in H. p'ed
 in occupatione prefat E. B. Et insuper Jui
 pdice super sacramentum suum p'edice similiter
 dicunt quod quidam C. de H. predict Grocer
 & S. S. de M. in dicto Comitae Middlesex
 Clericus per scriptum suum Obligatorium
 geren dat ante diem mortis predict J. B.
 debener Obliga prefato J. B. in vita sua in
 summa viginti & quatuor librarum legalis
 monete

In Scacc.

Ven' ad
manus Ex-
ecutric'.

Seisfure.

Nulla ali-
ateri', &c.

monete Anglie solvendi prefat J. B. ad cer-
tum diem jam preteritum ac juratores pre-
dicti super sacramentum suum predictum si-
militer dicunt quod predicta bona catalla u-
tensilia ac Indentura & scriptum Obligato-
rium prementionat post mortem prefat J. B.
ad manus & possessionem prefat C. T. uxo-
ris ejus Executricis debenerunt & in mani-
bus suis jam existunt, que omnia & singula
Hesluag' dimissionem bona catalla utensilia &
cetera premissa prementionat cum pertinen-
tiis unacum pdice Indentur scripse Obliga-
tor ac pred' debie viginti & quatuor librarum
in eodem scripto obligat mentionat ego prefat
hic dicto die Captionis hujus Inquisitionis
in manus dicti Dom Regis capi & seisciri
feci juxta exigent hzebis pdice ac prout per
idem hzebe mihi precipit Idemq Juratores
pdice similiter dicunt super sacramentum suum
prefat qd predict J. B. (tali die & anno) in
hzebi predicta mentionat quo die debitoz dicto
Dom Regi debuit seu unquam postea nulla
alia sive plur habuit terre tenementa sive He-
reditamenta in dicta balliba mea neque die
quo obiit, habuit aut possessionat fuit de ali-
quibus aliis sive plur bonis catallis debie
credie, seu specialitate in Balliba mea ad
notie Jur predicta seu eorum alicujus, que
extendi aut appreciari possunt In Cujus
rei, &c. Vide Dalt. 549.

C. D. Bar' Vic'.

Distrigas.

Distingas. Vide ante Cape in manus.

Nihil Retorn.

**Infranominat A. A. nihil het in terris
Tenement & Hereditament infraſcripe per
quod ipſum Diſtingere poſſum. Kitch. 277.
b. Wilk. Engl. 348.**

Aliter verſus Tenen'.

**Nullum tale Manerium nec ulle terri ſeu
Tenement cognite p nōende C. jacent in Com
M. unde Tenen' inde Diſtingere poſſum
pout interius mihi pprecipie, ibis.**

Aliter.

**Infranominat J. R. & R. R. nihil habent
nec eorū alter aliquid habet in balliva mea.
Et ulterius Baro' infraſcripe certiſico qđ
nulli ſunt Executors vel Adminiſtrator ho-
norum & catallorū que fuer infranominat M.
R. Unde ipſos aut eorū aliquem diſtinget
poſſum.**

**Manucapt' J. S. Gen' Tenen' & Terr' &
Tent'orum infraſpec' que fuer' infranomi-
nat'. M.K. J. D. R. R. Exit' 13 s. 4 d. Ibid.**

Nulla bona, &c. Exec' Hered' Terretenen', &c.

**Baro' infraſcripe certiſico qđ A. B. C. D.
& ceteri perſone in quibuſdam Schedulis
huic brevi annex' nōiat nulla bent bona ſeu
catalla infra balliam meam unde ſeperat
deba**

In Scacc.

W deba super eos oñae seu aliquam inde Parcel fieri facere possum nec sunt indene nec eorū aliquis est indene in balliva mea nec sunt aliqui Exec' resti sive ule Voluntae pzed sepe rat psonū neque Administratori honor & catalloz que sua fueri nec aliqui Heredi seu Tenend' tert' pzedice sepat Personā sive eorū aliquorū infra ballivam meam que distringere possum put istud breve in se exigit & requirit.

Residuum Executionis istius brevis patet in quibusdam Inquisition' huic brevi annex'.

A. B. Ar' Vic'.

Inquit indentat, (et.) qui dicunt super sacm suum qd A. B. C. D. &c. in Schedul huic brevi annex' nominat sepe rat diebus & annis quibus primo debitor debet Domine Regine seu unquā postea hucusq; nulla huet bona sive catalla tert' sive Tenement' infra ballivam meam que extendi aut appreciari possunt ad eorū notic Et qd mortui sunt quibus die & anno sive diebus & annis ac ubi penitus ignozant. In cuius rei testimoniu, &c.

A. B. Ar' Vic'.

Aliqui nulla habent bona, & Fieri Fac' de bonis aliorum.

Baron infrascripte certifico qd A. B. C. D. E. F. in Schedul huic brevi annex' nominat nulla hent bona seu catalla tert' seu tenement' infra ballivam meam unde sepe rat debet super ipsos & eorū cuiuslibet impōie fieri facere possum Sed virtute istius brevis mihi directe fieri feci de bonis & catallis G. H. I. K. & L. M. in dice Schedul nominat sepe rat sum

The New Retorna Brevium.

47

sum super ipsos & eorum quemlibet omnia Et In Secie.
denat illi coram Baron infrascripte ad diem
& locum infrascripte parat habeo put inte-
rius mihi precipit Et ulterius certifico quod
P. C. P. C. & R. S. in dca Schedul nomi- Exoner-
nat dicunt se habere exoneraciones p sepeal tiones.
summis super ipsos & eorum quemlibet omnia
Et p eo accepti ab eis sufficiens Securitate &
prefixi eis diem essendi hic ad Bractium Do-
mine Regine infrascripte ad diem & locum
infrascripte put interius mihi precipit.

A. B. Ar' Vic'.

Nihil versus Exec' sive Adm'.

Baronibus infrascripte certifico quod non
sunt aliqui Executor Testis sive ult voluntat
infrascripte P. C. defunct nec sunt aliqui
Administrat sive Occupat bonorum seu catal-
lorum que sua fuerint infra balliam meam quos
vel quem distringere possum prout istud breve
in se exigit & requirit. Vide Offic' Brev' 223.
vide postea Scire fac'.

Qd' Vic' non possit distringere seipm'.

N. Baron Infrascripte certifico Quod ego
H. W. qui modo sum Vic Com C. ideo
meipsum distringere non possum prout inte-
rius mihi precipit. Br. Process 9. Vide Dalc'.
Offic' Vic' last pub' 194. vide ante Cap. in
man. Wilk. Lat. 145.

Distring'.

The New Retorna Brevium.

Distring'.
Trin' 6 W. & M.
Midd'.

Execuc' istius bzis patet in quidam panello huic bzebi annex'.

Respons'.

Thomæ Abney, Mil'.

&

Williel' Hedges, Mil'.

} Vic'.

Quibus ff. Jur inter Dñm Regē
& Dñam Regiam & Johē Polwell
de certis Articulis unde, &c.

Distring' Gu-
bernat' & Socie-
tat' Conducto-
rum pro levaco-
ne aque Tha-
mes' in Paroch'
Sci' Pauli Shad-
wel ad solvend'
Sampson Salt &
al' pro Custag'
3 l. 6 s. 8 d. e-
isdem Anno &
Termino.
Midd'.

Manucaptor

Infrascript Gubernator & Societas &c.

Johannes Doe,

&

Richard' Roe.

Exit' ———

Respons'.

Thomæ Abney, Mil'.

&

Williel' Hedges, Mil'.

} Vic'.

Distring' Re-
gal' African' So-
cietat' Angl' ad
respondendum
Bill' Anglican'
Ric' Dickenson,
Gen'.
Pasc. 6 W. & W.
London.

Manucaptor

Infrascript Regal African' So-
cietat' Angl.

Johannes Doe,

&

Richard' Roe.

Exit' ———

5 l.

Respons'.

Williel' Hedges, Mil'.

&

Thomæ Abney, Mil'.

} Vic'.

The New Retorna Brevium.

49
In Scet

Of a *Disfringas* out of the *Exchequer*, to Levy Money for the Repair of *Dover Castle*.

M. Infranomd Phillip Dic Strangford.
Vide Offic. Brev. 212.

Johannes Doo.
Ricardus Roo.
Exit' ——— 20 s.
T. B. Ar' Vic'.

The like against Collectors and Receivers, where Some of the Defendants have no Lands in the County, and other some are dead.

Manucapt Infranominat Thome Style & Thome Bate.

Johannes Doo.
Ricardus Roo.
Exit' coru' cujuslibet — 10 s.

Sed Infranominat Willielm Johnson & Georgius Mills nichil habent nec eorum aliquis habet in balliva mea per quod Disfring possunt. Et Infranominat Robertus Whiting & Johes Mooze mortui sunt. Offic. Brev. 212, 213.

A. L. Ar. Vic.

The like against Executors.

Manucapt Alexandri Osborne Executoris Testamenti & ultime Voluntatis infranominat Alexandri Osborne.

Johannes Doo.
Ricardus Roo.
Exit' ———
A. L. Ar' Vic'.
A nother

E

30
In Canc.

The New Retorna Brevium.

Another Form.

Manucript A. Caploz Executrie Testa-
menti & ultime voluntatis infranominat Georgij
Robinson.

Johannes Doo.

Ricardus Roo.

Exit' _____

Sed nulli sunt Administrat & occupat bo-
noi & catallor que nuper sua fuerunt. Vide
Offic. Brev. 213.

A. L. Ar' Vic'.

Extent & Inquisition.

Extent & Def. mortui.

ff. A. B. & C. D. infranominat mortui
fuer diu ante emanatorem hujus brevis nec
aliqua huer bona seu catalla terras seu tenet
infra ballivam meam que extend & apprech-
at possum prout y brebe istud inferius missi
precipit. Kitch. 278. b. Wilk. Eng. 351.

Aliter propt' temporis brevitatem.

ff. Infranominat A. B. & C. D. mortui
sunt Et quoad resid Executonis nihil per
me actum est propter temporis brevitatem.
Ibid. ut supra, vide postea Tit. Venditioni
Exponas.

Aliter

The New Retorna Brevium.

Aliter per Inquisitionem.

51
In Canc.

Inquisito, &c. qui dicunt super sacram suum quod quibus die & anno nuper Comes A. obiit & ubi penitus ignorant Quod ipse nulla habet bona aut catalla in Com p'dice que capi & in manus dcd Dni Regis extendi possunt Et ulterius die quod p'dice Comes B. die quo obiit fuit scite in Vinco suo ut de feodo de & in Manerio de C. cum pertind clari annui valor in omnibus Eric ultra rep'is 25 l. quod quidem Manerium cum pertind ante advenit istius h'is Ego plac hic virtute alterius h'is extra hanc Cur emanend & ex parte Remembri dcd Dni Regis hujus Actij assilae Seisfri feci in manus dcd Domini Regis p Extens p'dice In cujus rei Testimonium, &c. Vide Dalton, 306. Wilk. Lat. 156.

Un' mortuus alter residens & alij vagrant.

Aliter.

Inquisitio, &c. qui dicunt super sacram suum quod M. F. in Schedul h'ebi p'dice anher' nominat mortuus est Sed quibus die & anno aut ubi penitus ignorant Quodque M. M. etiam in eadem Schedul nominat est residens in Lond & J. S. est comorans apud B. in Com C. & R. A. in Vill & Com D. extra Com C. Et relique pson in eadem Schedul nominat ita vagrant & discurrunt in Com p'dice quod capi & arrestari non possunt In cujus rei Testimonium, &c. Idem Dalt. 307. Wilk. Lat. 155.

E 2

Aliter.

Aliter.

Inquisitio, &c. qui die super sacrum suum
qđ H. B. in Scheda huic brevi annex' spee
nulla alia sive plura het Maneria terre neq
tenta in Com' p'dice p'eter & ultra Maner teri
& tenta in Schedul' brevi p'dice annex' spee
extendi aut que in manus Domini Regis
seisiri possunt In cuius rei testimonium, &c.
Idem Dalt. Vide ante Cepi in manus. & Wilk.
Lat. 156.

Extent.
London'.
Mich. 6W. & M.

Virtute istius brevis nob' direct
cepimus corpus infranominat Wil
lielmi Vide & ipsum in p'isod' Dom
Regis & Domine Regine infrascrip
sub custod' nostra Salvo custodiri se
cimus quousque nob' solbit infra
scrip' sum' Ponagine librarum quos
quidam denar' coram Baronibus de
Sctio Dom' Regis & Domine Re
gine infrascrip' ad diem & loc' in
fracontene ad usum Domini Regis
& Domine Regine tunc & ibidem
solvend' parat' habemus.

Resp.

Williel' Coles, Mil'.

&

Jah'is Sweetaple, Mil'.

Vic.

Extent versus
corpus terr' &
ten' bon' & ca
p'l', &c. Johann'
Tassel & Lee &

Infranominat Johes Tassel &
Gorgius Lee non sunt indene nec
eorum alter est indene in balliva nra
Residuu' Executo' istius brevis pa
tet

Inquisition' su-
per inde.

Mich. 6 W. & M.
London'

ter in quadam Inquisitione huic bre-
vi annex'.

Respon'.

Williel' Hedges, Mil'.

&

Tho' Abney, Mil'.

} Vic'.

Londod ff. Inquisito Indentae
capae apud Guithald Civitae Lon-
dond situae in Paroch' Sed Lauren-
tij in Veteri Iudaismo in Warda
de Cheape ejusdem Civitae duode-
cimo die Julij anno regni Domini
Willielmi & Domine Marie Dei
gra Anglie Scoc & Hibern' Regis
& Regine fidei Defensor, &c. sexto
coram Will'o Hedges Mil' & Thoma
Abney Mil' Vic' Civis Londond p'v'
virtute cujusdam brevis deo Domo
Regis & deo Domine Regine eisdem
Vic' directe & huic Inquisitioni an-
nex' ad inquirend' de & sup' quibus-
dam materiis in eodem brevi contene
& specificae p' sacrm Jacobi Shel-
dake, &c. (so insert 12 Names) pro-
prium & legalit' hominu' de Balliva
p'fcae Vic' qui dicunt super dictum
sacrm suum qd' Johannes Castell &
Georgius Lee in dicto brevi nomi-
nae deo die captionis hujus Inquisi-
tionis possessionae existunt in balli-
va p'fcae Vic' de tribus Saccis &
de summa trescenta4 & quinquaginta
libra4 bone & legalis monete Angl'
in eisdem contene ut de bono & ca-
tal' & denariis suis propriis Quos quidam
tres Saccos & summa trescenta &
quinquaginta libe in eisdem contene

The New Retorna Brevium.

Nos prefat Die dco die capton huius Inquisitionis virtute brevis predicta in manus dco Dnd Regis & dco Domine Regine capi & seisciri fecimus Ac Jur pō ulterius super dictum sacmōdū dicunt qd pō Iohes Castell & Georgius Lee decimo die die Instand Julij quo die dictis Dno Regi & Domine Regine primo Debitor debend seu unqm postea hucusq null huer nec eorum alter habuit aliqua terr sibe tenfa nec dicto die captonis huius Inquisitionis aliqua al sibe plur hent seu eoz alter habuit bon seu catall nec hent nec eoz alter habuit aliqua debie creditu seu specialitate in manibus alicujus persone sibe psonaz aliqua in balliva prefat Die ad notie eorum Jur que modo extendi appretiarī seu in manus dictoz Dnd Regis & Domine Regine capi seu seisciri possunt In cujus rei Testimonū tam prefat die qm Jur predicta huic Inquisitioni sigill sua apponi fecerunt die & anno supradictis.

Extent versus corpus terr' & ten' & bon' & cat' Will' Harley & Inquisition' super inde virtute cujus quedam bon' & cat' seiscit' fuer'.

Infranominat Willus Harley non est inventus in balliva nra residuum executionis istius brevis patet in quadam Inquisitione huic brevis annex'.

Respons'.

Williel' Coles, Mil'.

&

Joh'is Sweetaple, Mil'.

} Vic.

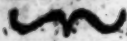
Londond

Hill. 6 W. & M.
London.

Londoni ff. Inquisicio Indentae
capae apud **Guildhal** Civitatis **Lond**
(modo & forma ut antea mutatis
mutandis) Qui Jurat & onerat
erit super dictum sacrum suum di-
cunt qd **Willus Parley** in dco hzevi
nominat 16 die Decembe ulte pter
necnon dicto die captonis hujus In-
quisitio possessionis erit in balli-
va ptesae hic de diversis bonis & cae
ut de bonis & cae suis ppter in quadam
Schedul sive inventori huius In-
quisitionis & pdice hzevi annex men-
tionat attingend in toto iuxta sepe-
rata ptesia super ea p Jur pdice impo-
sit ad 1711. iis. 8 d. Quequidem
sepat bonis & cae Nos ptesae Dic pd
die captonis hujus Inquisitionis
virtute hzevis pdice in manus dicti
Dni Regis ac. capi ac seird fecimus
ac Jur pdice ulterius sup dictum
sacrum suum dicunt qd pdice **Willus**
Parley nulla al sive plur habet bonis
seu cae nec aliqua habet debite cre-
ditie spialitae seu denar summas nec
24 die Decembris pdice seu ungm
postea aliquas habuit teri seu tenta
in manibus alicujus personi sive
personarum aliquarum in balliva ptesae
hic ad notie eozundem Jur Que
modo, &c. ut ante.

Modus & forma re-
sorn' Schedul' ptesae.

Schedul sive Inventori bonis & ca-
tall Willi Parley Civis & Inholder
de Londoni in manus Dni Regis
nunc 3^o die Januarii anno Domi 1604.
cape & seir per **Willum Coles Mil'** &
Johem Sweetaple Mil' hic Civie
Londoni virtute hzevis **Willi & Mar**
E 4 **Regis**



The New Retorna Brevium.

Regis & Regine Angl', &c. de Ex-
tens emanat versus prefat Willm
Harley pro debito 400 l.

Extent versus
Jacobum Rogers
direct' Cancell'
Com' Palatin'
Lanc' ad inveni-
end' debit' & In-
quisition' super
inde.

Trin. 6 W. & M.
Lanc'.

Respons' prenobilis Robert' dni' Wil-
loughby Baron' de Eresby Canc'
Com' Palatin' Lanc' ad hoc breve.

Virtute istius brevis Dñi Regis
& Dñe Regine mihi directe & deli-
berat p aliud breve dictorum Regis
& Regine sub sigill Com' Palatin'
predicte debite confect' Mandari fec'
hic Com' pdice put interius mihi
deipie Quicquid hic scilt Thomas
Ashurst Me mihi responder qd Ex-
cuso brevis pdicti super mencionat
patet in quadam Scheda huic bre-
vi annex'.

per ipsum Canc'.

Lanc' ff. Inquisicio Indentat capte
apud Manchester in Com' Pala-
tin' Lanc' predict' Octavo die Junij
anno regni Domini Regis & Do-
mine Regine Gulielmi & Marie
Anglie, &c. sexto coram me Thoma
Ashurst Armiger Dic Com' Pal
pdicti virtute brevis dcoz Domini
Regis & Dñe Regine mihi directe
& deliberat huic Inquisitioni annex'
per sacrm (here insert the Names of
the Jury) pboz & legal homin Com'
pdice qui dicunt super sacrm suum
predict' Qd quidm M. B. de C. in
Com' D. die captionis hujus Inqui-
sitionis indebitat existit pdict Jacobo
Rogers

Rogers in summa (insert the Sum and for what the Debt is due, and so in like manner if more than one Debt) and so conclude as in the preceeding Inquisitions.

Extent' versus
corpus terr' &
ten' bon' & cat'
Williel' Smith.
Hill. 4 W. & M.
London.

Virtute istius hzebis nobis direct
cepim' corp' infranominat W. S.
cujus quidem corpus in Prison Dñi
Regis & Domine Regine sub custodi
nra hemus.

Resid' Executon istius hzebis pa
tet in quadam Inquisitione huic hze
bi annex'.

Respon'.

Thomaz Lane, Mil'.

&

Thomaz Cooke, Mil'.

} Vic'.

Inquisico Indentat cap' apud
Guilhalb, &c. (modo & forma ut ante
mutatis mutandis.)

Extent' versus
terr' & ten' &
catt' Paschasii
Mynne.
Mich. 5 W. & M.
Devon.

Infranominat Pasch E. M. non
est invent' in balliva mea resid' Exe
cutione istius hzebis patet in quadam
Schedul' huic hzebi annex'.

Georgius Prestwood Ar' Vic.

Virtute cujus
quid' brevis me
suag' terr' & ten'
& bon' & cat'
præd' Paschasij
Mynne seit' ex
ist'.

Inquisico Indentat cape apud
Castro Exon in Com' p'dice ule die
Augusti anno regni Dom' Guilielmi
& Domine Marie nunc Regis &
Regine Anglie, &c. 5º coram me
Georgio Prestwood Ar' Dic Com'
p'dict' virtute h'is dicti Dom' Reg
& Dom' Regine mihi direct' & huic
Inquisitione annex' per sacram Jo
his

The New Retorna Brevium.

his Jessor, et. (insert the Jury) pro-
 hor. & legal hominum de balliba
 prefat vic Qui dicunt super sacm
 suum predict qd pdict Paschasius
 Wynne in hzebi predict nominat
 pdict tertio die Maij anno regni
 dei Dom Reg' & Dhe Regine quin-
 to in hzebi pzet mentonat seit fuit
 & deo die captonis hujus Inquisi-
 tion seit exist' de & in un Messuag
 cum pertid situat jaced & existend in
 Paroch Scti Leonardi in Com D.
 modo vel nuper in tenura sive occu-
 pac p' Pasch Wynne vel assignd lu-
 or. clari annui valor in omnib' exi-
 tibus ultra repzis decem libr ac de
 & in un al Messuag cum pertid si-
 tuat jaced & existend in pdict Paroch
 Scti Leonardi in Com predict modo
 vel nuper in tenura sive occupacione
 Jonathan Tavington vel assignd
 suor. clari annui valor in omnibus
 erit ultra repzis decem libr. Ac
 Jurat pdict ulterius super dice
 sacm suum dicunt qd pdict Pascha-
 sius Wynne dict die capcon hujus
 Inquisition possessionat exist' ut de
 bon & cat suis ppi de & in vigint &
 un fascibus Anglie Ends panni la-
 nei Anglice vocat Serges Quequidm
 bon & cat nuper fuer in quadam
 Pave sive vale voc le Anity de
 Coptham adtunc fluctuand ad An-
 chor in Riv' de Coptham in Com p'
 Quequidm Pavis sive bas adhuc ex-
 exist' in possessione Samuel Elliott
 Magr Pavis sive basis pzet Que-
 quidm vigint & un falces Panni
 lanci

In Scacc.

lanet modo exist' in possessione
 Johis Ellwill & appretiat sunt per
 Jur' predia' super sacrm suum pre-
 dia' ad sexcent' libr' legalis monet'
 Angl & valent ad vendend' sexcent'
 libr' legalis monet' Angl omnia &
 singula quequidm Mesuag' cum per-
 tin' & bon' & cat' predia' ego prefat'
 hic virtute brevis pred' in man' dcd
 Domini Regis & Domine Regine
 capi & seird feci per extent' predia'
 juxta exigent' ejusdem brevis Et ul-
 terius Jur' predia' super sacrm'
 suum pred' ulterius dicunt qd pred'
 Paschasius Wynne d'cto tertio die
 Maij anno quinto supradict' seu un-
 quam postea hucusq' nulla al' sive
 plur' her sive habuit bon' seu cat'
 teri sive ten' debie credit' specialitac
 seu denar' sumas in balliva prefat'
 vic pred' que extendi apptiari aut
 in man' d'ci Dom' Regis & Dne
 Regine capi seu seird possunt ad no-
 tie Jur' pdice & ulterius Jur' pdice
 super sacrm suum pdice ulterius di-
 cunt qd pdice Paschasius d'cto tertio
 die Maij anno quinto supradicto seu
 unquam postea hucusque nulla ha-
 bet sive habuit bon' seu cat' teri sive
 ten' debie Credit' spialitac sive denar'
 sumas in balliva prefat' vic que ex-
 tendi appretari aut in man' d'ci Dnd
 Regis & Dne Regine capi seu seird
 possunt ad notie Jur' pdice In cu-
 jus rei Testimon' tam p'fat' vic quod
 Jur' predice huic Inquisition' sigilla
 sua apponi fecer die & anno suprad.

Georgius Prestwood. Ar' Vic'.

The

In Scacc.

The like upon an Extent out of the Court of Exchequer, where Goods and Chattels were seized, but no Lands.

Inquisitio Indentae capte apud, &c. coram, &c. p. Sacramentum, &c. qui Jur., &c. dicunt qd. M. T. in dicto hzebi nominat vicesimo sexto die Decembris anno Domini Millesimo sexcentesimo quadragesimo octavo quo die idem M. primo debitor debent in eodem hzebi specificat & postea fuit seiscitus in dominio suo ut de feodo de & in uno Mesuagio uno Pozreo uno stabulo uno Columbario uno Gardino & duobus hortis cum pertinentiis eidem Mesuagio spectant ac de & in una pecta sive parcella terre arabilis cum copicea adind spectant comunie vocat Elwel Stownes continend per estimacionem tres acras, &c. jacent, &c. clari annui valoris, &c. ac etiam de & in tertia parte in tres partes dividend unius firme sive domus mancionat vocat Waters Mead, ac duos Pozreos unius stabuli, &c. continend, &c. situae, &c. in omnibus, &c. omnia & singula que quidem separalia premissa predicta cum pertinentiis Ego prefat die die capcionis hujus Inquisitionis in manus dicti Domini Regis nunc cepi & seisciri feci secundum exigenciam hzebis pzeb ac Juratores pdice super Sacramentum suu pdictum ulterius dicunt qd. predictus M. T. predicto vicesimo sexto die Sept anno Domini 1648. supradice seu unquid postea hucusque nulla alia sive pluie terre & tenement nec aliqua bona seu catalla in balliva mea habuit sive habet que ullo modo capi seisciri aut extendi facere possum ad notie Jur pzebice In cujus rei Testimonium, &c. Vide Offic. Brev. 206. Aliter

Aliter secundum Wilk. on Greenwood, 236.&c.

Infranominae N. B. non est indene in
balliva mea resis Executionis hujus hzebis
patet in quadam Inquisitione indene huic
annex.

R. S. Ar' Vic'.

Inquisito indene cape apud R. in Com
predice 21 die Oce anno regni Domini Regis
nunc 14 coram R. S. Ar' Vic' ejusdem Com
P. Virtute hzebis dicti Dom' Cai 2. Dei
grā Angl' Scot' Franc' & Hibne Regis fidei
Defens, &c. mihi direct' & huic Inquisitioni
indene annex' per sacra R. S. &c. (to the
Number of 12 at least) probor' & lega'tum
hominū de balliva mea qui jurat (&c.) die
super sacra suum Qd R. C. in predice hzebi
nominae 20 die Aprilis anno regni Regis
predice 13 in eodem hzebi nominae super quem
diem pdice R. C. debent debitor' dco Dom'
Regi inframene seie fuit in Vincō suo ut de
feodo de & in un' mesuag' cum pertid' quinque
ac' teri sex ac' prati & octo ac' pastur' situae
jacent' & existent' in p. in Com' pdice modo in
tenui & occupatone J. B. vel Assigno suoz
clari annual' valoris in omnibus Exie ultra
reppis 10 l.

Omnia que quidem Mesuag' teri & tenta
cum pertid' Ego p'fate die eodem die captōd
istius Inquisitionis Cepi & seisi in manus Cepi.
dco Dom' Regis put per hzebe istud mihi
precipie.

Et iidem Jur' super sacra suum die Qd
pdice R. C. ad diem captōd hujus Inquisi-
tōd in reversione seie est, (cum acciderit post
mortem C. D. dco) in Vincō suo ut de feodo
de

In Scacc.

w

de uno Mesuag cum pertinē sex acī terī quīn-
que acī p̄ae & 12 Aci Pastur situat jacent
& existē in H. in dice Com̄ R. & modo in
tenura & occupatōne ejusdem C. D. vidē Et
qđ p̄dice C. D. vidē nunc in vita existit adeo
qđ ad p̄sens p̄dic' Mesuag' terr' & p̄missa
in H. p̄dice sunt nullius valoris sed post mor-
tem ipsius C. D. vidē clari annual' valoris
fuerint in omnibus Exit' ultra rep̄is 8 l.

Reversion
seized.

Reversion' cujus quidem Mesuag' terr' &
p̄missa cum pertinē in H. p̄dict' (cum acci-
derit) Ego p̄fat' vic' eodem die capto' hu-
jus Inquisition' cepi & seisi'vi in manus dñi
Domini Regis secundum exigēc' istius
brevis.

Possession'
de bonis.

Et ulterius Jur' p̄dict' super sacra' suā
dic' qđ super nominat' R. C. tē capto' hu-
jus Inquisition' fuit & modo possession' est (de
bonis & catallis sepe'ratim mentonat' & ap-
preciat' in quadam Schedul' huic Inquisition'
indentat' annex' ut de bonis & catallis p̄pi
Et qđ totus valor eorundem bonorum &
catallorum est 40 s.

Sei'vi bo-
na.

Que bona & catalla eodem die capto' hu-
jus Inquisition' ego p̄fat' vic' similiter in man-
d' dñi Regis seisi'vi.

Rent due
in arrear
found, and
Goods in
man' R. J.

Et iidem Jur' ulterius dic' super sacra'
suam qđ eodem die capto' hujus Inquisi-
tion' R. J. de G. in Com̄ R. p̄dice Yeoman
indebitas fuit supranominat' R. C. in summa
integra vigine libe' p̄o reddie Accetiam qđ
modo sunt in man' ejusdem R. J. diversa
bona & catalla ejusdem R. C. scilicet una
longa Tabula, &c. que bona & catalla con-
junctim sunt valor' 40 s. Omnia que quidem
Reddie 20 l. & bona & catalla valor' 40 s. p̄
Ego p̄fat' vic' eodē die capto' hujus Inquisi-
tion' filie in man' dñi Reg' ut in man' e-
jusdē R. J. seisi'vi. Et

Seizure
made.

The New Retorna Brevium.

63

Et p̄dice Jur̄ p̄terea die sup̄ sacm̄ In Scacc.
p̄b̄ Et infranominat̄ R. T. nulla at sibe
plur̄ habet tert̄ sibe tenement̄ ad p̄dicte die
quo debent̄ debitor̄ sic ut p̄dice nec unquam
postea neque ulla at sibe plac̄a bona & catalla
habet̄ sed capt̄on̄ hujus Inquisitor̄ in
ballivā mea ad nocte Jur̄ p̄dice. In cuius
rei Testimonium, &c.

Nolla alia
terr' sive
bona, &c.

R. S. Ar. Vic.

Aliter & liberavi secundum Brev. Judic. 263.
of three parts of a Mannor in Lease.

Infranominat̄ C. P. non est in bene in bal-
liba mea restit̄ Executor̄ istius h̄ebis paret
in quadam Inquisitor̄ h̄ic h̄ebi annex'.

A. R. Ar. Vic.

Inquisitor̄ indentat̄ cap̄ apud B. in Com̄
p̄dice (tali die & anno) Coram, &c. Virtute
h̄ebis Dom̄ Regis h̄ic Inquisitor̄ annex' p̄
sacm̄ (&c.) qui die sup̄ sacm̄ Nam q̄s C.
P. in d̄co h̄ebi nominat̄ die capt̄on̄ hujus
Inquisitor̄ possessionat̄ fuisse de & in tribus
partibus dominiij sive Manerij de f. alias
R. T. & S. cum pert̄in in Com̄ p̄dice in sep-
tem partes divis̄ p̄ Term̄ 43 annor̄ ventur̄
a festo Sc̄d M. Michi ille p̄dice quam quidē
dimission̄ sibe Term̄ de & in tribus parti-
bus Dominiij sive Manerij p̄dice cum pert̄in
in septem partes divis̄ Jur̄, &c. extenderunt
ad 300 l. ultra omnia oīa & rep̄is Et ul-
terius Jur̄ p̄dice die sup̄ sacm̄ lud̄ q̄d p̄dice
C. P. die recogn̄ debi p̄dice seu unquam po-
stea non habuit ulla bona aut catalla terras
sive tenet̄ in Com̄ p̄dice que extendi aut p̄e-
fac̄ R. D. in d̄co h̄ebi nominat̄ liberari pos-
sunt Et unde ego plac̄ die Virtute h̄ebi p̄
die

In Scacc.

die & anno supradice prefat R. D. pdice di-
 missionem sive Terminum anno 4. pdice de & in
 tribus partibus Manerij sive dominiij p̄ cum p-
 tid in septem partes divis libari feci iuxta
 appzectionem pdice tenens eidem R. & Alignd
 suis ut catalla sua p̄p̄i secundum exigent
 istius brevis In cuius, &c. Vide eund. 267.

Aliter versus Cohered. upon an Extent in the
 Exchequer secundum Offic. Brev. 236.

Hanc si Inquisitio Indentae cape apud D.
 in Com pdice vicesimo nono die Septembris
 anno Regni Domini Caroli secundi dei gr̄
 Anglie Scot Franc & Hibernie Regis p̄
 Deleu, &c. decimo sexto coram me C. B.
 Mi Die Com pdice virtute brevis dicti Dom
 Regis mihi direct' & huic Inquisitioni annex'
 per sacrd H. B. J. D. &c. probat & legalis
 hominum de balliva mea qui Jur & onerati
 super sacramentum suum dicunt qd J. & A.
 tricesimo die Januarij anno regni dicti
 Domini Regis nunc primo & continue abind
 usq; diem captionis huius Inquisitionis fue-
 runt & modo existunt tenens diversas res in
 Althe in Scheda brevis predict' annex' speci-
 ficat quibus teri ille descendebant ut Cohe-
 red Et Etherberti Omer qui obiit inde seise.

Tenen' ut
 Cohered'
 diver' Ter-
 rar'

Et ulterius
 de Mane-
 rio quod
 descend'
 filio & he-
 red'.

Et ulterius Jur predict' dicunt qd R. D.
 tricesimo die Januarij anno regni dicti Dom
 Regis primo supradicto & continue abinde
 usq; tercium diem Aprilis anno Regni ejus-
 dem Dom Regis decimo fuit tenens Mane-
 rij de C. in Scheda pdicta specificat Et qd
 id R. D. eodem 30 die Jan de Manerio illo
 obiit seise in dominico suo ut de feodo post cu-
 jus mortem Maner illud cuid R. D. ut filio &
 hered

Heret p^r h. p. patris sui Jure Hereditat^r in Scacc^r.
descendebat & q^d p^rdice h. filius est modo te-
nens inde.

Et ulterius J^ur^r p^redice dicunt q^d Recto-
ria de E. G. in Schedula p^redice specificat ab
inico regni dicti Domini Regis p^redice usq^e
diem captionis hujus Inquisitionis fuit &
est parcell junctur Henric^r Mar^r regine Angl^r
Patris Domini Regis nunc q^dque W. B. Tenens
p^r tempus p^redice fuit tenens & modo tenens
existit ejusdem Rectorie virtute cujusdam di-
missionis inde eidem W. p^r h. Com^r S^ri M.
bani nup^r facte & concess^r sed cui vel quibus re-
verto Rectorie p^redice infra tempus p^redice
jure Hereditat^r descendebat J^ur^r p^redice peni-
tus ignozant.

Et ulterius J^ur^r p^rdice dicunt super sacm^r
suum q^d W. S. tricesimo die Januarij anno
regni dicti Domini Regis primo supradicto &
continue abinde usque quartum diem Julij
anno regni dicti Domini Regis nono seir^r
fuisse in dominico suo ut de feodo de & in
Mesuagiis & terris in M. in Schedul^r huic
h^rebi annex^r specificat quo die Walterus
obit inde seir^r in dominico suo ut de feodo
& post cujus mortem Mesuag^r & terr^r p^rdice
cuidam Georgio Stoddard Gen^r & Thome
Stoddard ut Fil^r & Cohered^r p^rdicti Walteri
Patris sui Jure Hereditat^r descendebant
Et q^d p^rdictus Georgius Stoddard & Thom^r
Stoddard modo tenentes inde existunt.

Et ulterius J^ur^r p^redice dicunt super sa-
cramentum suum q^d p^rdice Georgius Stod-
dard & Thomas Stoddard (tali die & anno)
& continue abinde usque die captionis hujus
Inquisitionis fuit & modo existit Tenens
Molendini aquatici in West-greenwich in
Schedula p^redice specificat.

F

Et

Tenens
Rectorie
parcell^r
Junctur^r H.
Mar^r Reg^r
Angl^r.

Et tenen^r de
Mesuagiis
ut Fil^r &
Cohered^r.

Tenens
molendini
aquatici.

In Scacc:

Qd' scilicet

Maner' re-

mansit in

man' Regis

absque a-

liquo Te-

nente.

Tenens de

Manerio

quousque

concessit

alteri.

Non est tal'

Maner' in

Com' voc'

D.

Conclusio

Qd' Ma-

ner' Redo-

ria, &c.

non de-

scend' ali-

ter qm'

comper-

tum est.

Et ulterius Iur' p'dice dicunt qd' Scilicet Manerij de East-larleigh in Schedul' p'dice specificat remansit in manibus dicti Domini Regis absq' aliquo tenente inde usque diem captionis hujus Inquisition' ab initio regni ipsius Domini Regis.

Et ulterius Juratores (&c.) qd' Robtus Hamsey tricesimo die Januarij anno primo Regis supradice & continue abinde usque quintum diem Martij anno regni ejusdem Domini Regis tercio decimo fuit Tenens Manerij de Uewitham in Scheda p'edicta specificat & it' tenuit quousque idem Robtus postea scilicet eodem quinto die Martij concessit Maner' illud cum pertind' cuidam Reginald' Graham & Hered' suis qui quidem Reginald' modo tenens inde existit.

Et ulterius Iur' p'edice dicunt qd' non habetur nec est aliquod tal' Maner' in dicto Com' hanc vocat' Maner' de Duckingsfield in Scheda p'dice specificat ad noticiam Iur' p'dice.

Et ulterius Iur' p'dice dicunt super sacro suu' qd' manerium Regor' tert' & tene- mense supradice ab initio regni dicti Domini Regis hucusque alicui at' persone vel aliquibus at' personis alie quam ut superius com- ptum est Iur' hereditari' non descendebant ad noticiam Iur' p'edice In cujus rei Testi- monium tam ego p'efat' Dic' quam Juratores p'dice huic Inquisitioni sigilla nostra sepa- tim p' se apposuitimus die & anno supradicti. Vide Offic. 236. &c.

T. B. Ar. Vic.

That

That the Lands lie within the Cinque Ports.

N. Baronibus infra scripe certifico qd mesuagia & tenta in Tido & Pzome hill in Scheda huic hzebi annex' contene' jacent & existunt infra libertate quinq; portuum Et Ideo ullam Exceue istius hzis quoad Mesuagia & Tenementa p'ed' latere non possum Resid' vero Exceonis istius hzebis patet in quadam Inquisitione huic hzebi annex'. Vide Offic. Brev. 237.

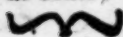
T. B. Ar. Vic.

Retorn of an Inquisition upon an Extent out of the Exchequer, at the Suit of the King and an Accomptant.

N. Inquisito indentat cape apud S. in Comitatu p'd' (tali die & ann) coram me A. B. Ac die Com' p'dice virtute hzebis dicti Domini Regis mihi direce & huic Inquisitioni annex' per sacramentum W. C. &c. probezum & legalium hominum de Comite meo p'dice qui Jurae & onerac existend' dicunt super sacrad' suum quod J. W. Armiger in hzebi p'dice nominac (tali die) quo die debitoz dicto domino Regi primo devenit seiscitus fuit & die captionis hujus Inquisitionis seiscitus existit in dominico suo ut de feodo talliac in reversione cum acciderit scilicet post mortem A. domine W. vidue matris ejus de & in reversione tertie partis indivisi Manerij vocat B. situae & existend' in Parochia de M. in dicto Comitatu Midd' in tres partes dividend' cum omnibus & singulis juribus membris redditie servitiis & pertinentiis quibuscunq;

*Seisin of a
Reversion
in Fee Tail.*

In Scacc'.



Qd' Te-
nens pro
vita est
superstes.

cunq; eidem manerio spectand sibe pertined
modo vel nuper in tenura sibe occupatione
p̄fac A. domine W. vel assignatorum suoz
ac etiam in reversione cum acciderit scilicet
post mortem p̄fac A. domine W. vidue de
& in tertia parte indivis (in tres partes si-
militer dividens) omnium & singulorum terri
Tenemene & Hereditamentor eidem mane-
rio spectand sibe pertined cum pertinentiis
aut cum eodem modo vel nuper usitae sibe
occupae ut part' parcel sibe membri ejusdem
jaced & existend in Parochia de W. p̄dicte
modo vel nuper in tenura sibe occupatione
p̄fac A. domine W. vidue vel assignatorum
suorum clari annui valoris in omnibus eri-
tibus ultra rep̄ilas centum librarum (and
so of the rest of the parcels) que omnia & sin-
gula p̄dicte p̄mentionae cum pertinentiis
unde p̄dicte J. W. in reversione p̄dicte sicut p̄-
fertur leisic existit Ego p̄fac Dic dicto die
Captionis hujus Inquisitionis in manus dī
Domini Regis cepi & leisici feci p̄out per
breve p̄dictum mihi p̄cipitur ac ulterius
Juratores p̄dicte super sacramentum suum
p̄dictum similiter dicunt quod p̄dicte A. domi-
na W. modo superstes & in plena vita existit
ac quod p̄fac J. W. (tali die) seu unquam
postea hucusq; nulla alia sibe plura habuit
seu modo habet maneria terre tenemene seu
hereditamene nec dicto die Captionis hujus
Inquisitionis alia habet bona seu catalla in
dicta Balliva mea ad noticia Juratorum p̄
seu eorum alicujus que modo extend app̄eci-
ari aut in manus dicti Domini Regis leisici
possunt In cujus rei Testimonium, &c.
Vide Dalton, 550, 551.

A. B. Ar. Vic.

The

The like upon a Re-Extent upon a Statute of
the Staple, at the Suit of an Executor.

N. Inquisitio Indentae cape apud **R.** in
Comitatu **p**dicto (tali die) coram me **M. R.**
Bar vie **Com** p^{re}dicte virtute h^{er}edis dicti
Domini Regis de re-extens fac super Stac
stapul mihi directe & huic Inquisitioni an-
nerac per Sacramentum **C. C.** (insert the
Jurors names) p^{ro}bozum & legalium hominu
de Balliva mea qui jurac & onerac dicunt
super Sacramentum suum quod **R. G.** nu-
per de **R.** in Comitatu **S.** Armig modo de-
funct in h^{er}edi **p**dicto nominatus circa (talem
diem) in dicto h^{er}edi nominac (quo die debet
mille librarum in eodem h^{er}edi specificat per
ipsum recognie fuit) seistus fuit in domini-
co suo ut de feodo de & in tota illa pecia &
parcella marisci & teri mariscal cum per-
tinentiis continend per estimationem decem
acras (**Ec.**) jaced & existend in Parochia de
A. in dicto Comitatu **M.** abbutan sive prope
adjacend cuidam loco ibidem vocac. **C. C.**
ex parte **O**rien, **Ec.** ante hac in separalibus
tenuris sive occupationibus quorundam **C.**
D. & J. H. aut eorum unius vel assignatoz
eorum aut unus eorum que omnia singula
catalla pecias & parcell marisci & teri ma-
riscal & cetera p^{re}missa p^{re}mentionac cum
pertinentiis de quibus **p**dicte **R. G.** sic ut
p^{re}fertur seistus fuit in dominico suo ut de
feodo Ego p^{re}fat Vie dicto die Captionis
hujus Inquisitionis diligenter extendi & ap-
preciari & in manus dicti Domini Regis
nunc seistri feci ut idem dominus Rex ea
Edward Comiti **S.** Execue Testamenti &
ultime voluntatis **S. M.** Militis in h^{er}edi
pdicte

In Scacc'.

~
 p'dice similiter nominat quousq; sibi de p'dice debito mille Librarum plene satisfacere fuit liberari fac' juxta formam Statuti apud W. pro hujusmodi debite recuperandi inde edic' & p'obis secundum tenorem & effectum ejusdem b'revis ac prout per idem b'reve mihi p'cepitur. Ne ulterius Juratores p'dice super sacramentum suum p'dictum similiter dicunt quod nulli sunt sive exist' heredes sive heres qui infra etatem existunt sive existit quibus vel cui p'missa p'rementionat cum pertinentiis de quibus p'dice R. G. sic ut p'fetur seiscitus fuit in dominio suo ut de feodo aut aliqua inde parcella jure hereditario discenderunt sive descendit ad noticiam eor'd aut alicujus eorum Deniq; Juratores p'dice super Sacramentum suum p'dictum similiter dicunt quod nulla sunt bona seu Caralla in Balliva mea que fuerunt p'fate R. G. die Obitus sui neque sunt aliqua alia sive plura terri Tenement' seu Hereditamenta in dicto Comitatu W. de quibus idem R. G. p'dice (die, &c.) seu unquam postea seiscitus fuit in dominio suo ut de feodo que extendi app'ciari, aut in manus dicti Domini Regis nunc capi aut seisciri possunt ad noticiam Jur p'dice seu eorum alicujus In cujus rei Testimonium tam ego p'fate Die quam Juri p'dice sigilla nostra huic Inquisitioni apposuimus die & anno p'imo supradice. Vide Dalton, 55 r. &c.

Nullus heres infra etat'.

Nulla bona, &c.

M. R. Baron' Vic. Com.

The like upon a Statute of Lands and Goods.

N. Inquisitio Indentat' capte apud W. in Comitatu p'dice (tali die) coram me N. B. Mil

Mil & Bai Dic Com virtute brevis dicti ^{In Soacc.}
 Domini Regis de Statut Stapul mihi di-
 recte & Inquisitioni annexae per Sacramentum
 J. B. (insert the Jurors) proborum & legali-
 um hominum de Balliva mea qui Jurat &
 onerat existend dicunt super Sacramentum
 suum quod W. G. de M. in Comitae pdice
 Armiger in brevi pdice nominatus dicto die
 Captionis hujus Inquisitionis possessione
 fuit & existit de bonis & catall suis propriis ^{Possessed of}
 de & in omnibus & singulis bonis & catallis ^{the Goods}
 in Schedula sive Inventorio indentae huic ^{in a Sched-}
 Inquisitioni annexae particulariter mentio- ^{dule an-}
 nae & expressa sepecialium preciarum & va-
 lozum in eadem Schedula sive Inventorio
 particulariter specificae attingend in toto ad
 sexaginta & tres libras legalis monete Ang-
 lie ac etiam Juratores pdice super Sacra-
 mentum suum similiter dicunt quod pdice W.
 G. & M. uxor ejus nuper dicta M. G. circa
 tempus Recognitionis debet octingentarum
 librarum in eodem brevi nominat scilicet ci-
 tra (diem, &c.) in dicto brevi specificae seisse
 fuer & dicto die Captionis hujus Inquisi-
 tionis seisse est (in jure ipsius Marie) in domi- ^{Scit' jure}
 nico suo ut de feodo de & in medietate om- ^{uxoris.}
 nium & singulorum Messuagiorum Tene-
 mentorum & Hereditamentorum quorumcumq;
 cum pertinentiis postea particulariter men-
 tionae & expressa existend in toto clari annui
 valoris in omnibus exitibus ultra repziss
 70 l. legalis monete Anglie viz. de & in me-
 dietate duorum Claus (name the particulars
 here) omnia que quidem Messuagia Terras
 Tenementa & Hereditamenta prementionae
 cum pertinentiis pdice W. G. & Maria uxor
 ejus ut in Jure ipsius Marie & J. B. Gm
 & Francisca uxor ejus ut in Jure ipsius F.

In Scacc'.

Qd' tenen
inſimul &
pro indi-
viſo.

Uxor ſu-
perſtes.

inſimul pro indiviſo tenent ac de eiſdem ma-
do ſeiſſiſti exiſtunt in dominico ſuo ut de feo-
do ac ulterius Juratores pꝛedice ſuper Sa-
cramentum ſuum pꝛdictum ſimiliter dicunt qđ
pꝛdice M. uxor pꝛdice W. G. adhuc ſuperſtes
& in plena vita exiſtit ſcilicet apud W. pꝛdict
in Comitae pꝛdice Ac inſuper Juratores pꝛ-
dice ſuper Sacramentum ſuum pꝛdictum ſi-
militer dicunt qđ pꝛdice W. G. citra tempus
Recognitionis debiti pꝛdice in dicto hꝛebi
ſpecificae ſcilicet citra pꝛdice (diem, &c.) ſei-
ſtus fuit ut de feodo de & in uno Capitali
Meſuagio (&c.) que quidem bona & catalla
in Scheda ſive Inventorio pꝛdict menſionae
nec non omnia & ſingula Meſuagia terre Te-
nemente & pꝛemiſſa pꝛementionae cum per-
tinentiis ſcilicet tam medietatem omnium
& ſingulorum Meſuagiorum Cottagiorum,
terrarum Tenementorum & Hereditamentor
cum pꝛtinentiis de quibus pꝛdict W. G. &
M. uxor eius ſic ut pꝛefertur ſeiſſiſti fuerunt
exiſtunt in dominico ſuo ut de feodo in iure
ipſius M. Quam pꝛdice capitale Meſuagium,
&c. ego pꝛefac Die in manus dicti Domini
Regis ſeiſſiſti feci juxta exigentiam hꝛebis
pꝛdice ac pꝛout per idem hꝛebe mihi pꝛecipitur
Ac denique Juratores pꝛdict ſuper Sacra-
mentum ſuum pꝛedice ſimiliter dicunt qđ
pꝛdice W. G. die teſt' hꝛebis pꝛdice ſcilicet (ta-
li die, &c.) anno ſpꝛadicto ſeu unquam poſtea
huc uſque poſſeſſionatus fuit ſive exiſtit de
nullis aliis ſive pluribus bonis ſeu catallis
in balliva mea neque fuit ſive exiſtit idē
W. G. in Jure ſuo pꝛoprio aut in jure pꝛefac
M. uxor eius ſeiſſe de aliquibus aliis
ſive pluribus terris Tenementis ſeu Heredi-
tamentis in dicto Comitae M. pꝛdict tempore
recognitionis debiti pꝛed ſcilicet dicto (die, &c.
anno

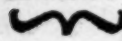
Nulla alia
bona terr',
&c.

anno supradice seu unquā postea hucusque que In Scac.
 extendi appreciari aut in manus dñi Domini
 Regis seisciri possunt ad noticiam Iur p̄dic
 seu eor alicujus In cujus rei Testimonio
 tam ego p̄fate Dic qm Iur p̄dice sigilla nra
 huic Inquisitioni appoluiimus die & anno
 primo supradice. Vide Dalt, 552, &c.

An Inquisition upon an Outlary.

Inquisitio indentae (&c.): dicunt super Sa-
 cramentum suum qđ Johes B. W̄it in brevi
 p̄dicce mentonat die Lune p̄xor' post festum
 Epiphanie Domini anno regni dicti Domini
 Regis duodecimo quo die utlagae fuit in
 London ad sextam Johis B. de placito trans-
 gressionis super Casum unde convict' est seisi-
 tus fuit & adhuc seistus existit pro Termino
 vite de & in uno Mesuagio uno Gardino &
 uno Pomario cum pertind eidem spectad sci-
 tuat jacent & existend in Parochia de Beele in
 Com p̄dicce & modo in tenura sibe occupati-
 one Johis W. vel assign' suor clari annui
 valoris in omnibus exitibus ultra rep̄is
 triginta librar' omnia & singula que quidem
 p̄missa cum pertinen' superius specificat
 Ego p̄fate Dic dicto die captionis hujus
 Inquisitionis in manus dicti Domini Regis
 nunc cepti & seisciri feci prout per breve illud
 m̄hi p̄cipitur Et Iur p̄dice ulterius su-
 per Sacramentum suum dicunt quod p̄dicce
 Johes B. nulla habet bona aut catalla neq̄
 ulla alia sibe pluri teri aut Tenemene in bal-
 liba mea tempore utlagae p̄dice seu unquam
 postea ad noticiam Iur p̄dice In cujus rei
 Testimonium uni parti hujus Inquisitionis
 penes p̄dicce Iur remanend Ego p̄fate Dic
 sigillum

In Scacc.

 sigillum meum apposui Et alteri parti eiusdem tam ego prefac Dic quam Qui pdice sigilla nostra alternatim apposuimus die & anno primo supradice. Vide Offic. Brev. 205.

T. B. Ar' Vic.

A special Inquisition upon an Extent against Church Lands.

Inquisito Indentae cape apud, &c. anno, &c. coram me Iohanne Beale Bar Dic Com pdice virtute brevis, &c. per Sacramentum J. R. &c. probor & legalium, &c. Qui Inrati & onerati super Sacramentum suum dicunt quod Archiepiscopus Cantuari tempore captionis hujus Inquisitionis seiscus fuit Iure Archiepiscopus Cantuari de & in Manerio de Westgate tribus horreis uno stabulo & aliis Edificiis structis Gardin & Pomar Ac de & in quadraginta accris terre arabilis prati & pasture scituas jacen & existen in Paroch de Westgate Scti Dunstani Parbledown Packinton & Chanington in Com Hanc nunc vel nuper in tenura sive occupatione Rici Barker & Francisci Churchman vel Assignatorum suorum clari annui valoris in omnibus exitibus ultra repertis trescentarum librarum Que omnia & singula premissa cum pertinent Ego prefac Dic die Captionis hujus Inquisitionis in manus Domini Regis cepi & seiscari feci prout per dictum breve mihi precipitur. In cuius rei Testimonium tam, &c. quam, &c. Vide Offic. Brev. 208, 209.

The

The New Retorna Brevium.

75

In Scacc.

The like against the Lands belonging to a
Dean and Chapter.

Inquisitio, &c. dicunt qd Decan & Capitl
Ecclesie Cathedralis Christi Cantuar tem-
poze captionis hujus Inquisitionis scitu
fuit jure pdict Decanac de & in manerio de
Addisham cum horreis Stabulis Edificiis
Structuris Gardinis & Pomariis eidem per-
tinent & quadraginta Acris terre sive plus
sive minus jacent & existunt in Parochia de
Addisham in Com pdict modo vel nuper in
Tenur sive Occupatione Thome A. vel M.
signator suor clari annui valoris in omnibus
exitibus ultra repzis ducentar librar Que
omnia & singula premissa superius specificat
cum pertinent Ego prefat Vic, &c. ut antea,
&c. Vide Offic. Brev. 209.

The like against the Lands of a Nobleman

Inquisitio, &c. dicunt quod H. f. Com
Winchelsea tempore captionis hujus Inqui-
sitionis seisse fuit in dominico suo ut de feodo
de & in uno Meluagio sive Tenemento vo-
cat le Flying-horse uno Stabulo uno Horreo
uno Brassatorio uno Gardino & decem acris
terre arabilis sive plus sive minus eidem
spectant cum pertind scituac jacent & existunt
in Parochia de Wye in Com pdict modo vel
nuper in Tenura sive Occupatione Thome
B. vel Assignator suor clari annui valoris
in omnibus exitibus ultra repzis viginti
librar p annum Que omnia & singula premis-
sa, &c. ut antea, &c. Offic. Brev. 209.

The

The like.

Inquisitio, &c. dicunt qđ Philippus Vic
Strangford tempore captionis huius Inqui-
sitionis seiscitus fuit in Dominico suo ut de
feodo de & in uno Mesuagio sive Tenemento
vocat le Baracens Head cum Pozreo stabulo
& extradomibus & quatuor acris pasture
sive plus sive minus eidem spectant scituas
jacent & existend in Parochia de Ashford in
Com pđice & modo vel nuper in tenura sive
Occupatione Samuelis W. vel Assignator
suor clari annui valoris in omnibus exiti-
bus ultra repzis quindecum libzai que om-
nia & singula, &c. ut antea. Offic. Brev. 209.

Retorn of a *Levari* out of the *Exchequer*, with
an Inquisition.

Baronibus infrascripte ad diem & locum
infra contene certifico qđ seperat person in
Schedula infrascripte nominat nulla habent
bona seu catalla terras seu tenementa infra
ballivam meam unde seperat denar summas
super ipsos in Scheda pđice respective
onerat aut aliquem inde denar fieri facere
seu levari non possum nec sunt invene nec eor
aliqua est invene in eadem, resis Executio-
nis istius brevis patet in quadam Inquisi-
tione huic brevi annex. Vide Offic. Brev. 209.
&c. Vic' postea Tit. Levari.

H. M. Bar' Vic'.

The

The Inquisition annex.

Inquisitio Indentae capē apud Ec. corā, &c. per Sacramentū, Ec. qui Iur dicunt, qd se-
perat personā in Scheda brevi p̄dice annex'
mentonae sepealibus diebus & annis
in quibus & Domino Regi debitores debe-
nerunt seu eorum aliquis debent seu un-
quam postea huc usque nulla huer seu eorum
aliquis habet bona seu catalla terras seu
Tenementa in balliva mea unde sepeales
denar summas super ipsos respective onerat
in Scheda p̄dice mentonae aut aliquem in-
de denar fac seu lebat possum vel que ex-
tend lebat seu appreciari possunt ad noticiam
Iur p̄dice In cujus rei Testimonium tam,
Ec. quam, &c. Idem 210.

Aliter. Retorn of an Inquisition upon a Statute,
where the Defendant hath Goods, and that
he hath not any Lands.

ff. Inquisitio Indentae, Ec. corā, &c. p
Sacramentum, Ec. probor & legalium homi-
num de balliva mea qui Iurati & onerati
super Sacramentum suum dicunt quod I. C.
in brevi p̄dice specificae tempore captionis
hujus Inquisitionis possessionae existit de &
in quibusdam bonis & catallis ut de bonis &
catallis suis propriis in quadam Scheda
dicta brevi & huic Inquisitioni annex' speci-
ficae Que quidem bona & catall Iur p̄dice
super Sacramentum suum appreciaber ad
sepeal denar Sumas super bona & ca-
talla in dicta Scheda appositae attingend in
toto ad ducentas quadraginta septem libras
duos

In Canc.

W duos solidi & quinq; denarij Et Jur pꝛedice
dicunt ulterius super sacramentū suū quod
pꝛedice J. C. die recognitionis debiti in hꝛebi
pꝛedice spꝛificat seu unquam postea nulli ha-
buit terras seu Tenementa nec dicto die cap-
tionis hujus Inquisitionis aliqua alia sibi
plur habet bona seu catalla in balliva pꝛesac
Dic ad noticiam eorundem Jur que modo ex-
tend appꝛeciat & in manus dicti Domini
Regis nunc seirū possint omnia quequidem
bona & catalla in Scheda pꝛedice mentonac
Ego pꝛesac Dic die captionis hujus Inquisi-
tionis in manus dicti Domini Regis nunc ce-
pi & seirū feci pꝛout per hꝛebe dicti Domini
Regis mihi pꝛecipitur In cuius, &c. Offic.
Brev. 234.

J. W. Bar. Vic.

Inquisition.

Inquisitio capt'
sup' breve de die
clausit' extremu'
versus Johannem
Chadwick defun-
ct' & seisin' de-
bit' ejusd' Pasch.
Anno 7. W. 3.
London'.

E Executio istius hꝛebis patet in
quadam Inquisitione huius
hꝛebi annex'.

Respons'.

Williel' Coles, Mil'

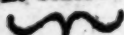
&

Johan' Sweetaple, Mil'

} Vic.

London' II. Inquisitio Indental
capit apud Guilhalm Civie London'
(modo & forma ut antea mutatis mu-
tandis) Qui jurat & onerat existend
dicunt super dice Sacram suū qd
Johannes Chadwick in dicto hꝛebi
nominat vicesimo 2 die Martij
anno

anno supradice apud Towhouse in
 Paroch de Rochdale in Com Lanc
 diem suum clausit extremum Ac quod
 quidam Willielm Moore de Towth-
 burp London Factor die Obitus
 predicti Johannis Chadwick indebitae
 fuit predicti Johannis Chadwick in
 Summa 34 l. 11 s. boni & legalis mo-
 ner Anglie per diversum bonum mercimonium
 & Merchandum per prefatum Johannem
 Chadwick in vita predicti Johannis
 Chadwick predicti Willielm Moore ven-
 dit & deliberat quicquid summa 34 l.
 11 s. adhuc remanet insolue Ac quod
 quidam Iosephus Brookesbank de
 Cateaton-street London Factor die
 Obitus predicti Johannis Chad-
 wick videtur debita fuit predicti Johannis
 Chadwick in Summa 12 l. 19 s. boni
 & legalis moner Anglie per diversum
 bonum mercimonium & Merchandum per pre-
 fatum Johannem Chadwick in vita pre-
 fati Johannis Chadwick predicti Iosephi
 Brookesbank vendit & deliberat que-
 quid summa 12 l. 19 s. adhuc re-
 manet insolue Quas quidam sepe-
 rat dem Summa 34 l. 11 s. & 12 l. 19 s.
 sic ut prefere debet Nos prefate die
 per die captionis huius Inquisitionis
 Virtute brevis predicti in Manu dicti
 Domini Regis capi ac seque feci-
 mus Ac Iur predicti ulterius super
 dictum Sacrum suum dicunt quod pre-
 dicti Iohannes Chadwick dicto die Obi-
 tus sui nullum aliquid sive plura habuit nec
 aliquis aliquid sive aliqui aliquid sive
 habuerunt ad usum predicti Johannis
 Chadwick aliqua aliquid sive plura de-
 bit



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hic credit seu denat suffrag nec ali-
qua hōd Catal seu specialitate
in manibus alicujus persone sive
personarū aliquat in hanc prefat
die nec 7 die Martij ule prie in dco
hzebi spificat quo die dco dno Re-
gi de debet in dco hzebi menconae
primo debitoz debentit seu unqm
postea aliquas habuit terras seu
Centa in balliva prefat die ad no-
tie eozdem Jur que modo appre-
tate extendi seu in Mand dicti Dni
Regis capi seu seird possunt In
cujus rei Testimon tam prefat
die qm Jur pū huc Inquisitor
gill sua apponi fecerunt die & ann
primū supradicto.

Aliter secundum Dalton, §49.

Midd ff. Inquisito indentat cape apud
in Com pdice (tali die & anno) coram me
W. W. Bar Die Com pdice Virtute hzebis
Dni Regis de diem clausit extremum mihi
directe & huc Inquisitioni annex per Sacrd
J. P. (et.) pborum & legalium hominū de
ballia mea qui onerat & jurat existēd vi-
cunt super Sacrd suum qd J. B. in hzebi
pdice nominat obiit apud H. in Com pdice
circa tres menses jam ule elaps ante diem
captōd hujus Inquisitionis & tempore mortis
sue seitus fuit in dinto suo ut de feodo de &
in uno Messuagio cum Area & pomat eidem
spectand & pertind cum suis pertind scituae ja-
ced & existēd in Paroch de H. in Com pre-
dice modo vel nuper in tenura sive Occupa-
tione cujusdem C. C. vel alia suozum clari
annui

Obiit seir.

annui valoris in omnibus Erie ultra rep^{is} In Scacc.
 20 s. Accetian Jur p^o dice super Sacrament^o *Leafs for*
 suum p^o dice similiter dic q^o p^o dice J. B. Pol. *Years*
 sels fuit ut de bonis & catallis suis p^o de & *found.*
 in una dimissione p^o Termin^o 13 anno^o tunc
 ventur^o & in expirac^o sibi p^o fac J. in vita sua p^o
 quendam P. P. per Indentur^o fact^o & sigillae
 de & in uno Mesuagio cum Ar^ois gardin^o &
 pomar^o eidem spectan^o & p^otin^o scitua^o & exist^o
 in Paroch^o de H. p^o dice nuper in Occupacone
 p^o fac J. B. vel Als^o suo^o & nunc in occupa-
 cone C. B. vid^o nup^o ur^o ejus vel Assign^o suo^o
 ac una parcella sive clauso terre cum p^otin^o
 fac^o & exist^o in p^o dice Paroch^o de H. p^o dice
 cont^o p^o estimaconem Tres Aci sive plus
 sive minus d^o Mesuag^o ul^o recitae spectan^o
 sive p^otin^o modo vel nuper in Occupacone p^o fac
 C. B. Vidue vel Assign^o suo^o que qui-
 dem dimiss^o p^o dice Mesuag^o & p^omiss^o ul^o re-
 citae & Termin^o Hae & interesse de qui-
 bus idem J. B. p^o dice ted mortis sue sic ut
 p^o fere possessionae fuit valent ad vendens 10 l. *Value.*
 legalis monete Anglie ultra omnes reddit^o &
 rep^{is} Et ulterius Jur p^o dice similiter di-
 cunt super Sacramene suum p^o dice Q^o p^o dice
 J. B. ted mortis sue possessionae fuit ut de
 bonis catallis & utensil^o (Anglice House-
 hold-stuff) cum p^otin^o particulat^o m^one
 & exp^oress^o in invento^o sive Schedul^o indentat^o
 & d^o h^oebi hujus Inquisit^o annex^o ac per
 Jur p^o dict^o app^oreciat ad sepe^oat sumas &
 valor^o in eodem Invento^o sive Schedula sili^o *Household.*
 spec^o & que in toto atting^o ad Sumam 24 l. *Goods*
 Que quidem bona catalla & utensilia sunt *found.*
 fac^o & exist^o & in circa p^o Mesuag^o & A-
 reas in H. p^o dict^o in Occupacone p^o fac C. B.
 Et insuper Jur p^o dict^o super Sacramentum
 suum p^o dict^o similiter dic q^o quidm^o C. de H.
 p^o dict^o

In 'Scacc'.

An Obligation found.

**Ad manus
Exec' de-
ven'.**

Seizure.

Noll' al'
te'r' five
bona, &c.

p̄dict Grocer & B. S. de B. in dō Com
 m̄dus Cucus p̄ scriptum suum ob̄ gerend
 dat ante diem mortis p̄dict J. B. debent
 obligat p̄fāt J. B. in vita sua in ludo 24.
 legalis monete Angl̄ solvend p̄fāt J. B.
 ad certum diem jam p̄rit Ac Jur p̄dict super
 Sacram̄ suum p̄dict similiter dicunt Ad p̄
 bona catalla utensilia ac Indentur & loru
 tum ob̄ p̄mentonat post mortem p̄dict J.
 B. ad manus & possessionē p̄fāt C. B. ut
 ejus & Executric debent & in manibus suis
 jam existunt Que omnia & singula d̄eluc
 dimissioē bona catalla utensilia & cetera p̄
 missa p̄mentonat cum p̄tind unacum p̄
 Indentur script Obligator ac p̄dict debet 24.
 in eodem script Obligator mentonat C.
 p̄fāt Die dict die captoē huius Inquisitio
 in manus d̄ci Dni Regis capi & lecturi l̄s
 juxta exigenc̄ brevis p̄dict ac p̄t per idē
 breve mihi p̄cipit Idemq; Jur p̄dict sic
 die super Sacramentum suum p̄dict qd J.
 B. (tali die & anno) in brevi p̄dict mentonat
 Quo die debitoz d̄co Dno Regi debent su
 unqm̄ postea nulla alia sive plur' habuit fir
 resita sive Hereditament in d̄ca balliva mea
 neq; die quo obiit habuit aut possessionat fuit
 de aliquibus al sive plur' bonis catall' debet
 Credit seu specialitat in balliva mea ad m̄
 tic Jur p̄dict seu eoz alicujus que exten
 aut app̄ciari possunt In cuius rei, &c.

Mort' super Stat'.

Dño Regi infra script ad diem & locū infra-
content certifico qđ infranominat M. B. diem
suum clausit extremū ideo istud h̄ybe nullo
modo exequi facere potui. Offic. Brev. 215.

Baro-

The New Retorna Brevium.

83

In Scacc.

Retorn of an Extent out 'of the Excheq; a-
gainsta Parson by the Archbishop of York,
(to whom the Writ was directed) that he
did deliver to the Plaintiff all his Lands
and Tenements Ecclesiastical, and that
the Defendant hath not any Goods, and
Chattels.

Baronibus infrascriptis certificamus qd
nos Virtute brevis Dñi Regis Robis direc-
& huic Schedule annex' liberari fec' infra-
scripte C. terras & Tenementa Ecclesiastica
infrascripta R. C. Clici in Diocesi nostra vi-
delicet Rectoriā Ecclesie parochialis de B.
cum pertind in Cord' pdice domū manonalem
ejusdē Rectorie (videlicet the Parsonage House)
15 Acre Terre Arabilis Prati & Pasture
vocae Globe Lands ac omnes decimas Obla-
tiones fructus redditus & commoditates quacun-
que ad rectoriā pdictā quoquo modo per-
tinent sive spectant de quibus pdict' R. pdice
die Recognitionis debiti pdice scisse fuit in
vincto suo ut de feodo in jure Ecclesie sue pze-
per extensē rationabile videlicet per 10 l. per
Anno in omnibus exitibus ulc redditibus tenens
ut liberum Tenementum suū sibi & Assignis
suis juxta formā Statuti pdice quousq; debi-
tum, &c. lehabie Et ulterius Certificamus
qd pdict' R. nulla habet bona seu catalla nec
aliqua al' sive plue terras aut Tenementa
Ecclesiastica in Diocesi sua que ullo modo ad
presens extendi appreciari aut liberari po-
tuer, &c. Hill. 44. El. Ro. 12 11. Inter Mickle-
thwaite & Dalson. Ebor'.

In Scacc'.

**Inquisic'o devant Vic' sur brief de Prærogative
pur un Chauntrie.**

Teste Ed. Sanders Mil' apud Westm' ult'
die Maij anno regni nostri decimo per
Thes' & Baron'.

**¶. Executio istius brevis patet in quadam
Inquisitione huic brevi annex'.**

W. C. Ar. Vic.

Hanc ¶. Inquisitio indentat capere apud
Deptsford in Com p'd quinto die Julij anno
regni Dñe Eliz' Dei grã Angl Scot Franc
& Hibnie Regine fidei Defens, &c. 10 Coram me
W. C. Ar. Vic Com p'dice Virtute brevis ip-
sius Dñe Regine nunc mihi direct & huic
Inquisitioni annex' per Sacrdm P. P. Sed
W. C. (et.) qui dicunt super Sacrdm suum
Ad Manerium de P. cum suis juribus mem-
bris & pertind universis in Com p'dice in bz-
vi huic Inquisitioni annex' spec ac 80 Ace
Terre cum eorū p'tind in O. P. R. A. B. I.
& C. in eodem Com R. in eod brevi huic
Inquisic annex' similiter spec nuper Can-
tarie vocat & nuncupat Goldwells Chauntrie
in Ecclesia de Magna Chare in Com p'dice ad
altare sc'd Crind in eadem Ecclesia p Nichm
Goldwell Cleric fundat & erect spectand &
ptinend valet per And in omnibus Exie suis
ultra repz's 4l. 6s. 8d. Et dic etiam Qui
p'dice super Sacrdm suum Ad Maner p'dice
& cetera omnia p'missa cum p'tind spectant &
pertinent p'fat Dñe Regine nunc ac concelet
subtrac & injuste detene fuer a red confect-
on Ace Parliamenti p'dice tene apud Westm
anno regni nuper Reg Edri sexti primo pro
Colleg

1 F. 6. ca.
de Chaun-
tries.

F
& c
geor
mor
man
Pack
Adm
Mic
L

Colleg' Cantar Liberis Capellis & Possessi-
onibus earundem eidem nup. Regi Hered &
Successor suis dand concedend tene edic ac
modo concealae subtraxe & injuste detene exi-
stunt a pdice Dña Regina nunc sed per quem
aut quos Jur pdice penitus ignorant In
cujus rei Testimonium tam Ego prefat Dic
qnd Jur pdice huic Inquisitioni sigill nostra
apposuimus Dat die anno & loco primo su-
pradice. Vide Co. Ent. 438. b.

Fieri fac'.

Fi. fa. de bon'
& cat' Joh' Gud-
geon tempore
mortis sue in
man' Willielmi
Packer remanen'
Administrand'.
Mich' & W. & M.
London'.

Infranominat Willus Packer
Null habet bon' seu catall que fuer
infranominat Johis Gudgeon tem-
pore mortis sue in manibus suis
Administrand in balliba nostra un-
de inframentonae quinquagint libe
vel aliquid inde pret fieri facere pos-
sumus sed diversa bon' & cat' que
fuer pdice Johannis Gudgeon tem-
pore mortis sue ad valent pdice
quinquagint librar' ad manus pre-
dice Williel' Packer post mortem
pdict Johannis Gudgeon Admini-
strand debener Quequidem bon' &
catall pdict Willmus Packer po-
stea & ante retoznd hujus brevis
debastavit elongavit & in usum
suum propi convertit.

Respons'.

Williel' Hedges, Mil'.

&

Thomx Abney, Mil'.

} Vic'.

Fi. fa. de Bonis propriis propter devastati-
on' bon' Johan-
nis Bolt defunct'
debor' Domini
Regis.

Mich. 7 W. 3.
Midd'.

Infranonimae Maria Bolt big
nulla habet bon' seu catall' sua pro-
pria in balliba mea unde Dund
sexagint' libr' inframononae aut
aliquam inde percet' fieri seu leba-
ri possum.

Respons'.

Edwardi Willis, Mil'.

&

Owen Buckingham, Mil'.

} Vic.

Fieri feci quandam Dimissionem, &c.

ff Virtute, Et. Fieri feci de bonis & catal-
lis J. H. infranonimae quandam dimissionem
& concessiōem eidem J. H. p quendam T. G.
ex una parte & p̄dict J. H. ex altera parte
pro termino 31 annoꝝ incipienti a primo die
Jan' anno Regni Domini nostri Jac' infra-
script . . . put per Indentur ill' gerend
Dat eisdem die & anno plenius liquet & ap-
paret de & in uno Messuag sibe Firma cum
p̄ind scituat jacent & existend in L. in Paroch
de f. infra ballibam meam vocat sibe cognit
per nōen de B. simulcum omnibus & singu-
lis terris p̄atis pascuis pasturis bolcis
subbolcis aquis & pasturis cum omnibus
suis pertinen' scituat jacent & existend infra
villam Paroch & Campos de f. p̄dict & si-
militer in balliba mea Et p̄dict dimissionem
ac omne & totum jus Stat titulum term
annoꝝ possessionem & demant' que p̄red J.
H. modo habet de & in p̄dict p̄missis virtute
sibe vigoze ejusdem dimissionis & concessio-
nis aut aliter venditōni expolai & vendidi
cuidam P. G. Gen p̄sum 76 l. 13 s. 4 d. Ac
etiam Fieri feci de aliis bonis & catallis p̄d
J. H.

J. P. ad valenc' 65 l. 6 s. 8 d. Que quidem ^{In Scacc.} denar' sunt sic in forma predicta per me levat' in toto se atting' ad 132 l. 12 s. & eisdem fustas coram Dño Rege ad diem & locum infra contentas parat' habes ad reddend' infrascript' **C. P. & J.** ur' ejus in pace satisfactionis dampn' infrascript' prout per breve istud mihi interius precipit' Et qđ **J. P.** nulla bona seu catalla in balliva mea habuit ut residuum pñit 165 l. 6 s. 2 d. fieri seu levare possum secundum **Erigenē** hujus brevis. Kirch. 277. b. Wilk. Eng. 349.

De Fieri fac' ubi null' additio datur aliis Def.

Baron' infrascript' certifico qđ sunt diver- se persone in Com' meo nomin' & cognomin' de **J. H.** viz. **J. H.** de **f.** & **J. H.** de **A.** que non continent in isto brevi Ita qđ de cu- jus **J. H.** &c. bonis & catallis denar' infra- script' fieri facerem nescio ideo ad Execucionē istius brevis procedere non potui. Vide Dalt. 304. Wilk. Lat. 154.

A. B. Ar' Vic'.

Baronibus &c. certifico qđ **A. B. C. D.** &c. infrascript' nulla habent bona seu catalla terr' seu tenementa infra balliam meam unde sepe- rat' denar' sunt super ipsos respēive o- nerat' seu aliquem inde denar' fieri facere possum nec sunt nec eorū aliquis est invent' in eadem. Offic. Brev. 238.



Homag'.

Retornd brevis de respect Homag al Di
string' in Scaccario.

Manucripto A. B. } I. D.
R. R.

Exit' 20 s. for according to the value of the
Land more or less. Vide Dalt. 306. Will.
Lat. 143.

A. B. Ar' Vic'.

Retorn' brevis exeun' ex Offic' de le First
Fruits.

ff. Baronibus infrascripte certifico qd J.
B. in hoc brevi nominat nec ted deliberato-
nis mihi huius brevis fuit nec ad aliquod
tempus hucusq extitit nec existit Vicarius
de C. in brevi illo spec nec est invent in bal-
lipa mea. Offic. Bre. 238.

A. B. Ar' Vic'.

Levari fa'.

Le' fa' exit'
terr' & ten' Hen'
Foxwell seit' su-
perbreve de Ex-
tent'.

Pasch. 5 W. & M.
Somers'.

Virtute istius brevis mihi direct
Levari feci de reddit exie & profe
terra2 & tenito2 in isto brevi men-
zonat sum septdec lib22. Quam
quidem sum septendecim lib22 co-
ram Baro2 infrascript ad diem &
locum infrascript ad usum Dni
Regis & Dne Regind solven parat
heo.

Warwic' Bampfild, Ar' Vic'.

Respons'

Le. fa. exit'
terr' & ten' Tho'
Gerrard seir' sup'
cap' utlagat' ads'
Jacobi Wain-
wright.
Mich. 21 Car. 2.
Lanc'.

Respons' Thome Ingram Mil' Canc'
Com' Palatin' Lanc' ad hoc breve.

Virtute istius brevis mihi direce
p' h'be Dñi Regis sub sigillo Com'
Palatin' p'dice debe confect' Man-
dari feci die ejusdem Com' p'prie
interius mihi p'cepte Quicquidem
die scilicet Thomas Greenhalge
Mi mihi respondet qd Virtute bre-
vis sibi direce de reddit' exie & p'fic
omniū & singulaꝝ Terraꝝ & te-
nitorum infrascripte infranominat
Thome Gerrard inde p'obenied a
die capsonis eorundem in manus
dñi Dñi Regis videlicet a vicesimo
quinto die Januarij anno regni
dñi Dñi Regis vicesimo usq; festū
dñi Michis tunc p'prie sequend fieri
colligi & levati fecit Summam non-
agine & und librarum decem & octo
solidoꝝ undecim denar' & unius
obuli p'p' rata temporis & juxta
annual' valor' p'missorum p'edice
interius spec Quamquidem sum-
mam nonagine und librarum decem
& octo solidorum undecim denar' &
unius oboli coram Baron' infra-
scribe ad diem & locum infracon-
tine parat' habet p'prie interius ei
p'ceptiebat.

per ipsum Cancellar'.

Le.

Lev. fa. exit'
'Terr' & tenent'
Tho' Eyre seit'
per Comission'
sub magno sigill'
Angl' quia con-
veiat' & dat'
pro usibus illicitis
& superstici-
osis.

Trin. 4 W. & M.
Derb.

Baronibus infraſcripe certifico
qđ nulla ſunt reddit' erie aut p'ofic
omnid' & ſingulorū. Quodamq' terrarū
tenitorū cum pertinet inframento-
nar' vel alienius parcell' inde po-
ventes creſcend' ſibi renovand' iura
ſeperat' annuat' valor inframenta-
nar' ac Dño Regi & Dñe Regine
nunc infranominar' debite aut de-
bent' a die captoꝝ eozundem in ma-
nus nuper Regis Caroli ſecundi
uſque ad feſtum Annuciacoꝝ bte
Marie virginis ule p'terie unde dco
nuper Regi Carolo ſecundo aut nu-
per Regi Jacobo ſecundo ſeu dicitis
Dño Regi & Dñe Regine nunc non-
dum eſt reſponſis. Que fieri colligi
aut Levari ſacere poſſum p'out in-
terius mihi p'ecipie.

Nathaniel Curſon. Bar' Vic'.

Le. fa. Exit' terr'
& ten' Williel'
Vavaſor ſeit' vir-
tute brevis de
Extent' ſup' Ob-
ligat'.

Mich. 4 W. & M.
Eborum.

Baronibz infraſcripe ad diem &
locum infracontene certifico qđ vir-
tute illius b'revis mihi direct' fieri &
levari ſeri ad uſum Dñi Regis &
Dñe Regine de reddit' erie & p'ofic
p'miſſorū infraſcripe duodecim libe
& decem ſolido' parcell' debite
dcoꝝ Dñi Regis & Dñe And ad
feſtum Scti Michis Archi ule
p'terie debite. Et denar' ill' coram Ba-
ron' infraſcripe ad diem & loc' in-
fracontene parat' habeo ad uſum
Dñi Regis & Dñe Regine nunc
ibidem ſolvens p'out interius mihi
p'ecipie.

Johannes Gill, Ar' Vic'.

Le.

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Le. fa. Exit
Terr' & tenen'
Benjam' Mosse
Virtute brevis de
Extent'.
Pasch. 2 M. & M.
London'.

Virtute istius brevis nob' direct'
de reddit' exie & p'fic' Mesuag' sive
Tenement' in Cenu' infranominat'
Marie Richardson ad festum An-
nunciatō' b're Marie Virg' infra-
scribe debet & insolue fieri colligi &
levari sec' Septemdecim libras &
decem solidis legalis moner' Angl'
Et de reddit' exie & p'fic' Mesuag'
sive Tenement' in Cenu' infrano-
minat' Franc' Willis ad prefat' fe-
stum Annunciatō' b're Marie Vir-
ginis debet & insolue fieri colligi &
levari scilicet duodecim Libras &
decem solidis illis moner' quosquidē
denar' in toto se atting' ad trigine
libr' coram Baron' infrascripte ad
diem & loc' infracentent' ad usum
Dñi Regis & Dñe Regine infra-
scribe in satisfactō' tanc' debiti sui
infra mentō' solvent' parac' ha-
bemus p' ut per breve ill' interius
nobis precipit.

Respons'.

Fra' Child, Mil'.

&

Ed' Clarke, Mil'.

} Vic'.

Aliter secundum Offic. Brev. 223.

Baronibus infrascripte ad diem & locum
infracontent' certifico Quod virtute istius bre-
vis mihi direct' fieri & levati feci ad usum
Dñi Regis de reddit' Exie & p'fic' premisa
Cene libe debite dicto Dño Regi ad festum
annunc' b're M. Virg' ultra preterit Et de-
nar' ill' coram Baron' infrascript' ad diem &
locum

In Scacc'.

locum infracentent parat habeo ad usum
 Dñi Regis nunc & ibidem solvens put interius
 mihi p̄cipit. Vide ante Fieri fac'.

Non Omittas.

ff. Virtute, &c. cepi de terris & Centis M.
 ff. ad valenc' 40 s. quos habeo coram Baro.
 nibus infrascript ad diem & locum infra-
 centent put interius mihi p̄cipit Et ulte-
 rius Baro infrascripto certifico qd p̄d' M.
 nulla alia sive plur Terras neq; resita bona
 neq; catalla in balliba mea habet unde resitu
 debiti infrascript fieri facere possum prout
 istud h̄be in se exigit & requirit. Kitch.
 278. b.

Retorn' brevis ad Proclam Vic' ad reddend'
 Compum' suum per Coronator.

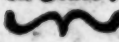
Virtute istius h̄beis nobis direct Baro
 infrascripto certificamus qd in pleno Comd C.
 infrascripto tenet apud Castrum C. in Comd C.
 p̄dict 20 die Aug anno, &c. infrascripto acced
 in pleno Comd p̄d' apud C. p̄dict 18 die
 Sept anno, &c. necnon diversis vicibus po-
 stea in Comd p̄dice Articulatim Proclamari
 fecim' omnia & singula Articula que in isto
 h̄beo continent & specificant prout per h̄beo
 istud nobis interius p̄cipit. Wilk. Lat. 151.
 vide Dalt. 306.

J. W. } Coron'.
 W.R. }

See Proclamations for several persons to sur-
 render to the Sheriffs, that the Sheriffs
 might have them before the Justices, Kitch.
 265. Alit' pro Rege ubicunq; &c. ibid.
 simile Wilk. Eng. 316, 317. Qui

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Quis est Tenens.

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in Scacc.


¶ Infranoninat W. B. & M. ux' ejus
sunt tened tertie partis Manerij infrascripte
in tres partes dividit & C. M. M. C. & J.
B. filie C. D. defuncte sunt tened secunde
partis Manerij infrascripte in tres partes
dividit Et alia tertia pars Manerij infra-
scripte remanet in manu Dñi Regis rōne mi-
noris Etatis C. B. fil & heredi p̄dicti C. B.
Manucaptor p̄nominat W. B.
& M. ux' ejus.

J. D. R. R.

Kitch. 277. b. Wilk Eng. 347. Lat. 153.

Aliter.

Virtute istius brevis mihi direct Baroni
infrascripte certifico qd W. B. & M. ux' ejus
sunt tened tertie partis Manerij infrascripte
in tres partes dividend Et C. M. M. C. &
J. B. filie C. D. defuncte sunt tened secund'
partis Manerij p̄dice in tres partes divi-
dend Et tertia pars Manerij p̄dice remanet
in custodiā Dñi Regis rōne minoris etat D.
D. fil & heredi p̄dice C. D. Vide Dalton,
303.

Manucap̄e p̄nominat W. B. & J. D.
& M. ux' ejus. J. H. H.

A. B. Ar. Vic'.

Rescous

Rescous retorn'd upon a Writ of Habeas corpus
in causa out of the Exchequer.

Virtute Brevis Dñi Regis nunc mihi di-
 recte & hinc Schedule annexae Ego Carolus
 Mountagu de die Com Pal Dunelm Baro-
 nib' de Scaccar' dñi Dñi Regis ad die Glor
 in dño brevis contene Certifico qd Ricardus Pas-
 son (in eod brevis nominat) captus fuit tertio
 decimo die Maij ult' preterito apud Paroch
 de Wearmouth Epd in Com Dunelm pñit
 p Ricardum Conpers de tunc die Com pñit
 (ac nuper in Officio illo die Com pñit
 defunct') Virtute cuiusd al brevis Dñi Regis
 nunc versus ipsum Ricardum Passon (debit
 modo & forma emanat) eidemq nuper die
 direct' & deliberat' retornabit coram Baro
 pñit die (scilicet) apud Westm in Com
 Westm a die Pasche in quindecim dies tunc
 pñit' sequend ad respondend Gabzeli Her-
 mes (in brevis illo sic nominat) debitor
 Dñi Regis de placito transg Quo min' &
 Tenor & transcript' cuius quidem brevis al
 mentonat' vob prefat' Baronibus hinc Scho-
 dule & brevis prius mentonat' consuevit
 Ac superinde idem Ricardus Passon (pro de-
 fctu sufficiend Manu capt' p comparentia sua
 super dem brevis de Quo min' Prisonam dñi
 Dñi Regis apud Dunelm in Com Dunelm
 pñit' per prefat' nuper die (Salvo custodiri)
 adductus & commissus fuit & ibidem in Prison
 pñit' (ex' causa pñit') sub custod ipsius nup
 die usq mortem ejusdem nup die (scilicet)
 vicesimo septimum die ejusd mensis marcij
 detentus fuit Et postea idem corpus dñi
 Richi Passon sic capt' & in Prisona pñit' (ex
 causa

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99

In Scacc.

causa p^a) existens Ego p^{re}lat^{us} Carolus Houn-
tagu modo Dic^{us} Com^{itis} Dunelm^{ie} p^{re}dice (in ad-
ventu meo ad officiu^m illud scilicet) nono die
Aprilis nunc ule p^{re}terito in p^{re}sona p^{re}dice
deteneⁿ inveni. Ne ulterius Baronibus p^{re}dice
Certifico q^{uo}d postea (scilicet) decimo nono die
Maii ule p^{re}terite idem Nichus Paston (in
p^{re}sona p^{re}dice) onerat & deteneⁿ fuit Virtute
cujusdam h^{ab}ebis sive p^{re}cepti de Capias ad re-
spons^{um} (extra quam Cur^{iam} antiquam Civis
h^{ab}eret le County Court) apud Dunelm^{ie} infra
Com^{itis} Pat^{ris} Dunelm^{ie} p^{re}dice coram Dic^o Com^{itis}
p^{re}dice (p^{ro} tempore existens) de quinden^{te} in
quinden^{te} (a tempore cujus contrarij memor
homo non existit teneⁿ & hic) verius eunt
Nichum Paston secund^{um} cond^{itionem} ejusdem Cur^{ie}
& totum tempus supradice usitat^{us} & approbat^{us}
debito modo emanat^{us} & in scriptis fac^{te} gerend^{um}
dat^{us} apud D. p^{re}dice 10 die Maii tunc instans
retornabil^{is} in eadem Cur^{ia} apud D. p^{re}dice te-
nens die lune h^{ab}essimo quarta die ejusdem
mensis Maii ad respons^{um} cuidam Ambrosio
Cromley in placito debi cent^{um} & octo lib^{ras} Et
ex causis p^{re}dice idem corpus d^{omi}ni Nichi Paston
in p^{re}sona d^{omi}ni Regis p^{re}dice detineri & Salvo
custodiri feci donec illud h^{ab}ebe de Habeas
corpus cum causa (mihi direce & huic Rebe-
dule annexat^{us}) mihi deliberat^{us} fuit (scilicet)
p^{re}dice decimo nono die Maii ultim^o p^{re}terite,
Virtute cujus quidem h^{ab}ebis de Habeas
corpus feci quoddam Warrantu^m me^{um} in
scriptis (sigillo Officii mei Dic^o Com^{itis} p^{re}dice
sigillat^{us}) gerend^{um} dat^{us} apud Dunelm^{ie} p^{re}dice cor^{am}
decimo nono die Maii ac Warrantu^m illud
cuidam Robto Robinson (ballivo meo jurat^{us} &
cognit^{us} tunc & adhuc existens) direxi & ad-
tunc & ibidem deliberabi ad ducend^{um} corpus
p^{re}lat^{us} Nichi Paston (cum causis p^{re}dice
existens)

In Scaec.

erisset causis capton & detention ejusdem
 Michi Paston (coram Baronibus pdice ad
 diem & locum in dco hzebi de Habeas corpus
 specificae secund' tenorem & exigenciam illius
 hzebis ule mentonae Qui quidem Robertus
 Robinson ballivus meus antedctus virtute
 dci hzebis & Warranti mei p' postea (scilicet)
 vicesimo quarto die Maij ule p'terite corpus
 ejusdem Michi Paston extra Prison pdice a
 pud Danelm pdice in Com meo pdice (cum
 causis capton & detention inde ut pdice) in
 custodiam suam recepit & habuit ad faciend
 cum illi jure exigenciam hzebis de Habeas
 corpus pdice necnon idem ballivus meus vir-
 tute dci hzebis & Warranti pdice ipsum
 Michum Paston extra Com meo pdice ver-
 sus Cur hic (videlicet) usque Paroch, &c.
 in Warda de, &c. London

salvo adduxit & eum coram Baronibus p'et
 ad diem & locum in pdice hzebi de Habeas
 corpus menton ducere voluisset & conat es-
 set ad fac & rec put hzebe illud in se erigit
 requisi super quo postea (scilicet) eod die re-
 tornd hzebis de Habeas corpus p'edice (vite-
 licet) quarto die Junij anno regni dci Nri
 Regis nunc secundo apud Paroch de, &c.
 pdice in Warda, &c. p'edice vnde quidam
 Johes Millward nuper de Woorel in Com
 Bucks' Clicus, &c. quidam Johes Phillips
 de London Laborer, Josephus Clarke de ead
 dem Laborer Michael Clarke de eadem La-
 borer & divers al Malefactorz & pacis vic'
 Dni Regis perturbatores (mihi & ballivo
 meo p'edice) tunc & adhuc ignoe p' procura-
 tionem ejusdem Johis Millward Et idem
 Johes Millward ac p'efat Johes Phillips
 Josephus Clarke Mich Clarke & al Male-
 factorz pdice ignoe (per procurat'on dicit
 Johis

Johis Wylward) adtunc & ibidem in & sup
ballivum meū pdice (in Via regia ibidem
dukē a Comd meo pdice usq; Cui hic cum
Prisonar suo pdice in Custod sua adtunc &
ibidem existēd) Si & armis (videlitet) gla-
diis & bacculis rorose insule fecer & ipsum
ballivum verberaver vulneraver & maestra-
taber. ita qd de vita ejus despabae & p̄fcae
Rich Paston. extra custodiam meam (& bal-
libi mei antedcti) contra voluntatē meam (&
ballibi mei pdice) Si & armis pdice adtunc
& ibidem ceper & rescusser contra pacem
dcti Domini Regis nunc Et postea idem Ri-
chus Paston non fuit nec est invene in bal-
liva mea aut alibi Quapropter corpus ejusdem
Richi Paston ad diem & locum in predicto
habet corpus contene habere non possum?

Carolus Mountagu, Ar' Vic'.

Scire fac'.

Scire fac' ver-
us A. B. & C.
Scire feci Re-
orn' superinde.
Trin. 6 W. & M.
London'.

Virtute istius h̄ebis nob' directē
per Ricum Hunt & Johem Wonger
probos & legales homines de balli-
va nostra Sect secind infranominac
Robto Baben sen & Robto Baden
jun qd sint coram Baron de Scacc
Dñi Regis & Dñe Regine infra-
scripte ad diem & locum infracotentē
ad ostendend, &c. put interius nob'
p̄cipie.

Respons'.

Williel' Hedges, Mil'.
&
Thoma Abney, Mil'. } Vic'.

H

Salva

Scire fac' ver-
sus A. B. & C. D.
Nihil retorn' fu-
sinde: Mich. 6 W. & M.
London?

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Infranominat Andreas & Wil-
lus nihil habent nec eoz. alter ali-
quid habet in balliva nostra ubi aut
p. q. et s. ten eoz. alteri scire facere
possumus nec sunt inveni. nec eoz
alter est inveni in eadem.

Respons.

Williel' Coles, Mil'.

&

Joh'is Sweetaple, Mil'.

Vic.

Scire fac' in
Com' Palatin'
Cest' versus A.
B. & C. D. Ni-
chil Retorn'.
Trin. 6 W. & M.
Cest'.

Respons' Prenobil' Williel' Comit' Com'
Derb' Camerar' Com' Palatin'
Cest'.

Virtute istius brevis mihi directus
dedi in Mandatis per aliud brevis
sub sigill' Com' Palatin' pdice Dic-
t' Civie Cest' inscribere prout in-
terius mihi precipie Qui quidem
hic scilicet Thomas Ward & Je-
hannes Kinaston mihi responderet
q. infranominat Ricardus Waller
nihil habet in balliva sua per
ei Scire facere possunt nec inveni
est in eadem.

per ipsum Camerar'.

Sci' fac' vers.
Executor' Ad-
min' Occupator'
& hered' & terr'
ten' Petri Ridge-
way.
Mich. 6 W. & M.
London?

Virtute istius brevis nobis directus
per Georgid Capstach & Ricardum
Rowles p. b. & legales homines de
balliva nostra Scire fecimus eundem
Marie Ridgetway Occupator' huius
& catall' que fuer' infranominat Pe-
tri Ridgetway tempore mortis sue
q. sit coram Baro de Scire Dni
Regis

Regis & Dñe Regine infrascript ad
diem & locum infra contene ad o-
stendend, &c. put interius nobis
precipie Ne ulterius certificamus
qd nulli sunt Executori Testi & ult
voluntate pñce Petri Ridgeway nec
aliqui sunt Administrator nec ali-
qui alij Occupator boni seu catall
que fuer ejuldem Petri Ridgeway
tempore mortis sue nec aliqui sunt
heres seu Tenens nec aliquis est
heres seu tenens terraꝝ & tenoꝝ
que fuer ejuldem Petri Ridgeway
die & anno quibus ipse Dño Regi
& Dñe Regine de debito infrascripte
dedoꝝ debend seu unqñ postea huc
usq in balliba nostra quibus vel
cui Scire facere possund.

Resp.

Williel' Coles, Mil'.

&

Joh' Sweetaple, Mil'. } Vic'.

Sci' fac' vers.
Executores, &c.
Mich. 6 W. & M.
Lane'.

Respons' Prenobil' Roberti Dñi Wil'
lughby Baron' de Eresby Canc'
Com' Palatin' Lanc' ad hoc breve.

Virtute istius brevis Dñi Regis
& Dñe Regine mihi direce & deli-
berae per aliud brebe dñoꝝ Reg' &
Regine sub sigill' Com' Palatin' pñ
debite confect' mandari feci Vñ
Com' pñce put interius mihi pre-
cipie Quicquidem Die scilicet Thom'
Ashhurst Armiger mihi respondet
qd Virtute brevis pñce supmencio-
nac sibi direce & deliberat mihi

H 4

certi

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certificat qđ per Jacobum Barter
 & Georgiu Upon p̄bos & legales
 homines de balliva sua Scire fecit
 Robto Bypers Rado Culcheth &
 Ricō Arrowsmith Executori Testi
 & ule voluntatē infranominat Thom
 Wolpneur defuncte qđ sint coram
 Baron infrascripte ad locum & diem
 infracotentē ad offendend & propo-
 nend si quid p se heant vel dicere
 sciant quare dñi Rex & Regina Ex-
 ecutionem versus ipsos de bono &
 catai teri & red p̄dice Thome Wo-
 lpneur p mille & vigine libi infra-
 mentonac here non debeant prout
 sibi p̄cipit Et ulterius mihi cer-
 tificat qđ nulli sunt Administrato-
 res aut Occupatores bonoꝝ & ca-
 ralloꝝ que fuerunt p̄dice Thome
 Wolpneur tempore mortis sue nec
 aliqui heredi seu tenentes terraꝝ aut
 tenitoꝝ que fuerunt ejusdem Thom
 Wolpneur underimo die Augusti
 anno regni dñoꝝ Regis & Regine
 quinto infra mentonac in p̄dicta
 balliva sua per qđ eis Scire face-
 re potest nec sunt invene (nec eoz
 aliquis invene est) in p̄dicta bal-
 liva sua.

per ipsum Canc.

Scire fac' vers.
 Executores Joh'
 Dm' Lovelace
 super quo A. B.
 Executor' Testi
 fui & C. D. Oc-

Virtute istius brevis nobis di-
 recte per Johem Parry & Johem
 Monger p̄bos & legales homi-
 nes de balliva nostra Scire feci-
 mus cuidam Johi Radford Armi-
 ger Executori Testi & ule volun-
 infra

cupator' bono-
rum suorum re-
tornat' fuer'.
Mich.6 W.&M.
London'.

infranominat Johannis nuper Dnd
Lobelace Accciam Williel Smith
Armiger Occupato' boni & catall
que fuer ejusdem Johannis nuper
Dnd Lobelace tempore mortis sue
qđ sint coram Baron de Scacc
Dñi Regis & Dñe Regine infra-
scribe ad diem & loc infracontene
ad ostendend, &c. put interius no-
bis precipitur ac ulterius certifi-
camus qđ nulli alij sunt Executor
sive Occupat nec aliquis al est Ex-
ecuto' sive Occupat boni & catall que
fuer p'dice Johis nuper Dnd Lobel
tempore mortis sue nec aliqui sint
Administrator nec aliquis est Ad-
ministrato' ejusdem nuper Dnd
Lobelace nec aliqui sunt Hered' seu
Tenene nec aliquis est Heres seu
tenens terrarum & tenitoꝝ que fuer
ejusdem Johannis nuper Dnd
Lobelace undecimo die Julij anno
regni dicti Domini Regis & Domi-
ne Regine sexto infra scribe quo
die de debito infra scribe primo di-
ctis Domino Regi & Domine Re-
gine debito' inde debend seu un-
quam postea hucusque in balliva
nostra quibus vel cui Sed facere
possumus.

Respon'.

Williel' Hedges, Mil'. }
& } Vic'.
Tho' Abney, Mil'.

Sci. fac' vers.
A. B. nichil re-
torn' superinde.
Hill'. 6 W. & M.
Lanc'.

Respons' Prenobil' Roberti Dni' Wil-
lughb' Baron' de Eresby Canc'
Com' Palatin' Lanc' ad hoc breve.

Virtute istius brevis Dni Regis
mihi direct' & deliberat per aliud
breve dñi Dni Regis sub sigill Com'
Palatin' Lanc' pdict debite confect
mandari feci Die Com' Palatin'
pdict prout interius mihi precipit
Quotidem Die scilicet Richardus
Spencer Armig' mihi respondet qd
Virtute brevis pdict supmentonat
sibi direct' & deliberat mihi Certifi-
cat qd infranominat Thomas Seele
nihil habet in balliva sua per qd
Scire facere potest nec est invent in
eadem.

per ipsum Canc'.

Sci' fac' vers.
Executores, &c.
General' Null'
Retorn'.
Hill. 6 W. & M.
London'.

Null sunt Executor, &c. nec ali-
qui sunt Admōtor vel Occupator
bon' & catall que fuer infranominat
J. Tolliff tempor' mortis sue nec ali-
quis est hoies sive tenens terraz seu
tenitoz que fuer pō J. Tolliff 20 die
die Martij in brevi infrascript'
mentonat seu unquā postea in bal-
liba nostra quibus vel cui Scire
facere possumus nec sunt invent
nec eoz aliquis est invent in bal-
liba nostra.

Respon'.

Williel' Coles, Mil'.

&

Joh'is Sweetaple, Mil'.

} Vic'.

Sci'.

Sci' fac' verf.
Executor' &c.
Sci' fec' Execur'
Retorn' super in-
de.
Mich. 7 W. 3.
London'.

Virtute istius brevis nobis di-
rec' per Henr Lee & Georg Jackson
p'pos & legales homines de balliva
nostra Sci' fecimus Nathan Til-
son & Jonathan Johnson Executor'
Test' & ult voluntat infranominat
Roberti Squibb Quid qd sint cora
Baron de Seacc' Dñi Regis in-
frascript ad diem & locum infra
content ad ostendend, &c. put in-
terius nobis precipit.

Respons'.

Owen Buckingham, Mil, }
& } Vic.
Edwardi Wills, Mil'.

Sci' fac' verf.
Executor', &c.
Super quo heres
& tenens terr' &
ten' necnon Oc-
cupator' bon' &
catal' Retorn'
exist'.
Mich. 7 W. 3.
Cestr'.

Respons' Prenobil' Williel' Comit'
Derb' Camerar' Com' Palatin'
Cest' infrascript'.

Virtute istius brevis mihi direc-
dedi in mandac per al brebe sub si-
gillo Com Palatin' Cestre Dic e-
iusdem Com prout interius mihi
precipit Quiquidem vic scilicet Ri-
cardus Legh Mi mihi respondit qd
per Johem Legh Gen & Daniel
Cartwright p'pos & legales homi-
nes de balliva sua Sci' fecit Willo
Dumbil Mi fratri & heres etiamq;
tenend terraz & tentoz que fuer
infranominat Edwardi defunct nec
non Occupator bonorum & catali
ipsius qd sint cora Baron de Seac'
Domini Regis infrascript a die
Sci' Michis in un' mentem ad o-
stendend & pponend si quid pro se
habrat

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habeat aut dicere sciat quare pro
causis in brevis infrascripte Dns
Rex Executonem versus ipsum plac
Willm Dumbill de bono & catall
teri & teno po que nup fuer plac mo
do defuncte p infrascript 27 l. s. s. 2d.
habere non debet put intervi^o precipit.
per ipsum Camer^o.

Respon. prenobil. Rob. Dni. Willughby
Canc. Com. palatin. Lanc. ad hoc bre.

Scire fac.
Hill. s W. & M.
Ladg.

Virtute istius brevis mihi direct
per al brebe Domini Regis & Dñe
Regine sub sigill Com Palatin in
frascript ac Die ejusd Com direct
Mandari feci eidem Die put inte
rius mihi precipit Quicquidem die
scilicet Thomas Ashhurst Ar mihi
respondet qd Virtute brevis pdict
sibi direct per Thomam Holme &
Robertum Carles phos & legales
homines de balliva sua Scire fecit
infranominat Johi Hodgson qd sit
coram Baron infrascript ad diem
& locum infrascript ad ostendend &
pponend si quid p se habet vel di
lere sciat quare iidem Rex & Re
gina Executonem versus eum de
debito infrascript habere non de
bent ac etia qd infranominat Hen
ricus Inman nihil habet in bal
liva sua p qd ei Scire facere potest
nec est invent in eadem neqon qd
infranominat Petrus ante emana
tionem brevis pdict mortuus fuit i
deo eide Petro Scir fac non potuit.
per ipsum Canc^o.

Scire

Sci' fac. verl.
Executor', &c.
General' Null'
Retorn'.
Hill, 3 W. & M.

Nulli sunt heredes vel tenendi nec aliquis est heres vel tenens aliquarum terrarum vel tenentiarum que fuerint infranominat' Timothei Platt & Samuel Platt seu eorum alterius. Nec ulli sunt Executores nec aliquis est Executor Testis & ult' voluntas eorundem Timothei & Samuel seu eorum alterius nec ulli sunt Administratores seu Occupatores nec aliquis est Administrator seu Occupator aliquorum bonorum seu catallarum que fuerint eorundem Timothei & Samuelis seu eorum alterius tempore mortis sue in balliva mea cui aut quibus Scire facere possum.

Tho. Wynne, Ar' Vic.

N. Virtute, &c. Scire feci J. P. infranominat' quod sit coram Baronibus infrascript' ad diem & locum infracent' per J. C. & R. S. p'bos & legales homines de balliva mea put interius mihi p'cipit'. Kitch. 278.b. Dalt. 305. Wilk. Eng. 351.

Aliter versus Executor.

N. Nulli sunt Executor de E. infrascript' neque Administrator bonorum & catallarum que fuerint ejusdem E. neque heres neque tenens terrarum & tenentiarum que sua fuerint in balliva mea quibus aliquo modo Scire facere possum. Kitch. ibid. Dalt. ibid. Wilk. Eng. 351.

Aliter

Scacc.

Aliter against an Executor, &c.

¶ Baronibus infrascriptis certifico quod non sunt aliqui Executores nec aliquis Executor Testamenti seu ult' voluntat' infranominat' E. B. defuncti nec Administratores nec Occupat' honor & catallor' que fuerunt p'dicti E. B. neq' Heredes seu Tenentes terrar' aut Tenementor' que fuerunt p'dicti E. B. in balliva mea quibus vel cui ullo modo Scire facere potui prout istud Breve in se exigit & requirit. Vide Offic. Brev. 230.

L. M. Mil' Vic'.

Aliter.

¶ J. D. & ceteri Def. infranominat' nihil habent in balliva mea per quod eis Scire facere possum. Kitch. ibid. Dalt. ibid. Wilk. Eng. 352.

It is there noted in *Dalton*, that the Summons of the *Exchequer* is a *Scire facias*.

Aliter.

Baron, &c. Certifico quod A. B. & ceteri infranominat' nihil habent nec eorum aliquis habet in balliva mea p quos eis Scire facere possum nec sunt inventi in balliva mea, Offic. Brev. 238.

C. D. Ar. Vic'

Retorn'

Retorn' brevis Collect' 15 & 10 intra Scacc'.

Virute hreibis mihi direce Scire fec in-
franominac A. B. accciam que ex parte Dñi
Regis fuerunt debi in mandac qđ pdice A.
B. circa leuacionem & collectione sexte quin-
tedecime & decime sex' integrat quintede-
mar & decimar infrascripte ac obligac secun-
dum Stat infrascripte A. B. ostendi feci
ipsum ex parte Dñi Regis sigilland & ut fa-
ctum sunt ad usum ejusdem Dñi Regis deli-
band scil' dedi in Mandac sed pdice A. B.
omnino eand sigillare vel circa Collecte pdice
intendere recusabit & adhuc recusat in
contempe dñi Dñi Regis Ideo eand obliga-
tionem ad diem & locum infrascripte habere
non possum put interius mihi pcepit Et
ulterius certifico qđ Scire fec infranominac
C. D. qđ ipse circa leuacionem & Collectio-
nem dice sexte Quintedecime & decime pxi
sex integrat quintat decimar infrascripte
diligenter intendat Et Obligationem secun-
dum formam Statut infrascripte ab eodem C. re-
cepi Et eand in Scacc dñi Dñi Regis ad
diem infrascripte certifico put interius mihi
pcepit. Vide Dalt. 305. Wilk. Lat. 142.

A. B. Ar. Vic'.

Scire facias.
Pasch. 2 W. & M.
Dunelm'.

Virute istius hreibis mihi direce
Mand Carolo Mountague Armig'
Dic Dunelm qđ hrebe istud in om-
nibus rite exequat qui mihi re-
spond qđ per Robertum Pattison &
Johem Racc phos & legales ho-
mines de balliba sua Scire fecit in-
franominac Thome Watson &
Petro

The New Retorna Brevium.

Petri Warley qđ sint coram Barođ
infrascriptis ad ostendendū si quid p
se heant vel dicere sciant quare in-
framinas Dñus Rex & Domina
Regina Executionem verlus eos p
debito infrascriptis here non de-
bent put interius sibi precipie Et
inframinas Iohes Wilkison ni-
hil het in balliva sua per qđ ei
Scire facere potest put interius si
sibi precipie.

Respons'.

N. Ep. Dunelm'.

Scire facias.
Pasch. 2 W. & M.
Dunelm'.

Virtute istius brevis missi di-
recte Mandi Carolo Mountagu Mi-
Dic Dunelm qđ brevis istud in om-
nibus rite exequat qui mihi re-
spond qđ inframinas Robtus
Minnett Willus Hindmarsh & Jo-
hannes Bulman nihil hent in bal-
liva sua neque eorū aliquis aliquod
habet in eadem per qđ eis Scire
facere potest put interius sibi pre-
cipit.

Respons'.

N. Ep. Dunelm'.

Scire fac' verſ.
Executores, &c.
Super quo tenen'
terrarum & te-
nentor' retorn'
exist'.
Mich. 2 Jac. 2.
Bucks.

Virtute istius brevis nihil di-
recte per Iohem Batchelloz Sed &
Henr Munday ppos & legales ho-
mines de balliva mea Scire feci
Edmō Seawen Mi Cefiti Manet de
Horton in Com Bucks infrascripte
ad pertind Et unius capitalis Me-
suag

luag triū Hoxreoz. triū Gardin-
 rum & triū pomar & decem acraꝝ
 terre cū pertiū in Hoxton pdice in
 Occupacione ipsius Edm̄d pꝛopi nec
 non unius Meluag Cene & vigine
 acraꝝ terre decem acraꝝ pꝛati &
 decem acraꝝ passus cum ptiū in
 Hoxton pd in Occupacione Samuel
 Bobwꝛ ac duodecim acraꝝ pꝛati cū
 pertiū in Hoxton pdice in Occupa-
 cione Willi Berne (Quequidm̄ Ma-
 net terre & tēta cum ptiū fuer
 Manet tert & tēd infranominat
 Roberti Scawen de quibus idem
 Robtus tempore quo pꝛimo debitor
 Dñs Carolo secundo nuper Regi
 Anglie de debic inframentonac de-
 venit scilicet decim̄ nono die Marcij
 anno regni ejusdem nuper Regis
 decimo nono infrascripe scitus fuit
 in dn̄to suo ut de feodo) qđ sit corā
 Baron de Bello Dñi Regis nunc
 infrascripe ad diem & locum infra-
 content ad ostendens & pponens p
 ut istud breve in se exigit & requirit
 Et ulterius Certifico qđ nulli sunt
 Executor nec est aliquis Executor
 Testis & ule voluntas pꝛefat Robti
 Scawen neq; sunt aliqui Admini-
 stratores vel Occupatores bonoz
 seu catalloꝝ que fuer dicti Robti
 in balliba mea cui vel quibus Sciē
 facere possum put interius mihi
 pꝛecipie.

E. L. Ar. Vic.

Retorn

The New Retorna Brevium.

 Retorn of a Writ of Summons before the Justices of the Forrest.

Virtute istius brevis mihi direce Sum feci Archiepos Epōs Duces Comite Baron & omnes al liberos Tenens qui terti & Tenemene hent infra metas Forēste Dñi Regis infrascripte in Comd meo & quatuor hominū & p. possit de quolibet Villae infra metas ejuldem Forēste. Ne etiam 12 probos & legales homines de quolibet Burgo infra metas dire Forēste tenens qui venire debuer & solebant qd sint coram Justic infrascripte ad diem & locum infracontene put interius mihi precipie Publice etiam Proclamar feci per totā ballivam meam tam in Burgis qm in aliis villis. Ne in feriis Mercat & al locis publicis qd omnes illi qui p Cartam Dñi Regis nunc aut Antecessor vel pgenitorū suorū aut aliquo alio modo aliquas libertates seu franchises teneant aut Libtate here clam & Quo Warrane Qd sint coram dñis Justic ad diem & locum p̄dice Proclm etiam feci Qd omnes Attach p Vere aut venatione in Forēsta p̄d post ule Plie Forēste p̄dice tene & eorū pleg & Manucapē qui huer diem per manucaption p̄dice Essend coram p̄fate Justic ad stand recte & ad faciend ea que secundum Regem Forēste facere debent.

Residuum Execution' istius brevis patet in quibusdam Pannell' huic brevi annex'.

A. B. Ar. Vic'.

A. B. de C. Gen. and so 24 for the Grand Jury, and 12 for the Petty Jury. *Vide Dalt. 304. Crompt. de Cur. 150. Wilk. Lat. 150.*

Notes

The New Retorna Brevium:

Note, In Kitch. 275. This Summons is placed amongst the Proceſs in Chancery. III
In Scacc.

Retorn' Superſed', &c. Quando aliquis offend'
Vic' Tall' ſua.

Virtute iſtius brevis mihi direce Baro*n* infrascripte certifico Qu*o*d Firmat infranominat*ae* poſt receptionem huius brevis mihi oſtend*it* Tall' ſua de ſolu*ti*one Firma ſua interius ſpec*ie* Ob quod preſixi eis diem eſſend*um* coram Baro*n*e infrascripte ad faciend*um* & recipiend*um* ſup*er* tallia p*re*ſta*ta* juxta tenorem huius brevis Et ideo le*va*to ſum*us* interius ſpec*ie* ſuperſed*it* p*ro*t*er* interius mihi p*re*cipie*re*. Vide Dalt. 306. Wilk. Lat. 151.

A. B. Ar. Vic.

Retorn' de Venire facias extra Scaccarium: Which ſeems to be againſt Officers of the Crown or the *Exchequer*, and is in the nature of a Summons, as by *Dalton, Offic. Vic. 303.*

Infranominat*ae* A. B. nichil habet in bal*li*ba mea per quod poſteſt Attachiari vel ubi eum ſum*us* poſſum.

Alicui ubi eſt ſufficiens.

Infranominat*ae* A. B. Attach*us* eſt } T. F.
per Pleg*um*, viz. } R. D.

A. B. Ar' Vi'.

Erit eor*um* Diu*us* Marci.

And if the words necnon ad oſtendum be in the Writ tunc in quobis 20 s. And if the Defendant

In Scacc.

sendant be a Count or Countess then thus:
**Infratominat R. M. nichil habet in terr
 Tenement & Hereditament infrascripte per
 quod ipm Distringere possum put interius
 mihi pcepit. Vide ante Distringas. vide
 Kirch. 277. b. & Wilk. Eng. 348. Lat. 154.**

Venire fac'.

Venire fac'.
 Midd'.

Executo istius brevis patet in
 quodam Panello huic brevi an-
 nex'.

Respons'.

Thomaz Abney, Mil'.

&

Williel' Hedges, Mil'.

} Vic'.

Quid si. Quid Jui inter Domin
 Regem & Dominam Reginam Porin
 Gold de certis Articulis unde, Et.

Vendicon'Ex-
 ponas.

Mich. 6 W. & M.
 London'.

Virtute istius brevis nob direct
 decimo Modem hi anno regni Dni
 Regis & Dne Regine infrascripte
 sexto omnia & singula bon & ca-
 tall in Schedul huic brevi annex'
 mentonat p sum quingent & sexa-
 gine librar. & und solid legalis
 moner Angl cuidm Oliver An-
 drews vendi fecimus & pro cha-
 rior pretio eadem bon & cattall ven-
 dere non potuimus Quos quidm
 denar coram Baronibus de Actio
 dci Dni Regis & dce Dne Regine
 ad diem & locum infrascripte ad
 usum dcoz. Domin Regis & Do-
 mine

mine Regine solvend tunc & ibid
parae demus put istud hzebe in
le exigit & requirit.

Respons.

Williel' Coles, Ar.

&

Joh'es Sweetaple, Ar.

} Vic.

Vendicon' ex-

pon.

Pasch. 6 W. & M.

Devon.

Virtute istius hzebis mihi direce
Baron' infrascripte certifico qd Vir-
tute h'is p'dice vendibi p'fac bigine
& p'di salses panni lanei Anglice
Serges parcell homoꝝ & catalloꝝ in
hzebi p'dice m'itona'e cu'dam Ar-
thuro Jeffery p' lund' lercene libe
legalis monee Anglie quamquidnd
lund' lercene libe parae habeo coꝝd
Baron' infrascripte ad diem & locu
infra contene ad ulum dice Domid
Regis & Domine Regine put inte-
rius mihi p'cepit Et p'zefac Ba-
ron' ulterius certifico qd omnia p'd
al bona & catalla resid' bonu & catall
in hzebi p'dice specificae in man' me-
is adhuc reman' p' defectu emptoꝝ.
& ideo hzebe p'dice ulterius exequi
non potui.

Ch'rus Savery, Ar. Vic.

Vendicon'

Vendicon' ex-
pon' bon' catall'
Mich. 5 W. & M.
Lanc'.

Respons. Brenobil. Roberti Dom.
Willughby Baron. de Eresby Canc.
Com. Palatin. Lanc. ad hoc
breve.

Virtute istius hris Dñi Regis &
Dñe Regine mihi direce & deliberat
p aliud hie dictorum Regis & Re-
gine sub sigill Com Palatin Lanc
q debet concess Mandari feci die
Com Palatin pñce prout interi-
us mihi precipie Quicquidem die
scilicet Thomas Righby Ne mihi
respondet q Virtute hreibis pñce
supplementarie sibi direce & delibae
mihi certificat q omnia & singula
bon' & catall in Special' Schedul
huic hrem annex specificae vendidit
p sum' Mille Crescenta. & duode-
cim libra. Novemdecim solidos
& undecim denario. existem Cha-
riori precio p quo illa vendere po-
tuit Quamquidem sum' Mille Cre-
scenta. & duodecim libra. novem-
decim solidos & undecim denario.
parae habet coram Baron infra-
scribe ad locum & diem infra-
contene ad usum dictorum Domini
Regis & Domine Regine infra-
scribe solvend prout sibi & interius
mihi precipie.

per ipsum Canc'.

Respons.

Vendicon. ex-
pon' Term. An-
norum.

Pasch. 7 W: 3.

Lanc.

Respons. Prenobil. Roberti Dni' Wil-
lughby de Eresby. Canc. Com.
Palatin. ad hoc breve.

Virtute istius brevis Domini
Regis mihi direct & deliberat per
aliud brevis Domini Regis sub si-
gillo Com Palatin' p'v debe con-
fere Mandari feci Dic Com Lanc
p'dice p'vut interius mihi pre-
cipie Quicquidem Dic scilicet Ri-
tus Spencer Ar mihi respondet qd
Virtute brevis p'dice Supplementonae
sibi direct & deliberat mihi certi-
ficat qd inasfranominae T. Righy
Amig nuper Dic Com Palatin' in-
frascripte sepas Termin' Anno 4. in
brevis p'dice specificat vendidit cui-
dam Johanni Bradford Gen pro
lud Crescentar' librarum legalis
monet Angl in brevis p'dice men-
nat existet chariori precio p quo ille
vendere potuit Quamquidem sum
Crescentarum librarum parat hec
cojam Baronib' infrascripte ad die
& locum infracentent ad usum dei
Domini Regis infrascripte solvend
put interius mihi precipie & brevis
p'dict exigit & requirit.

per ipsum Canc'.

Vendicon. ex-
pon' bonor', &c.
Mich. 4W. & M.
Lanc'.

Omnia bona vend.
Preter duas pecias, &c.

Respons. Prenobil. Roberti Domini
Willughby Baron. de Fresby Canc.
Com. Palatin. Lanc. ad hoc breve.

Virtute istius brevis Dñi Regis
& Dñe Regine mihi directe & deli-
bat p aliud bre dictorum Regis &
Regine sub sigill Com Palatin p
debe confere Mandari feci Dic Com
pñice put interius mihi precipie
Quiquidem Dic seilt Franc Lind-
ley Armig mihi respondet qd Vir-
tute brevis pñd supmentonae sibi
directe & deliberat omnia & singula
bona & catat in Schedul huius bre-
vi annex' specificat vendidit (preter
duas pecias de Hersey ad valenc
seragine solidorum in manibus
Samuelis Cocks de Manchester &
duas al pecias de Hersey ad valen-
ciam seragine solidorum in manibus
Risi Seddon de Manchester pñd
in eadem Scheda mentonae) pro
sum Ducentarum nonagine & Octo
librarum quatuordecim Solidorum
& unius oboli existend charioze pre-
cio pro quo illa vendere potuit qua-
quidem sum Ducenta nonagine &
Octa librarum quatuordecim soli-
dorum & unius oboli parat habet
coram Baronibus infra scripe ad
diem & locum infracontene ad usd
dñor. Regis & Regine infra scripe
solvend put sibi precipie Et ulterius
mihi certificat qd pñice sepe al
pecie de Hersey in Manibus pñt fac
Sa-

**Samuelis & Riti in manibus eorum
remanent & non sunt vendite.**

per ipsum Canc.

Aliter & bon' invendit'.

¶ Virtute brevis mihi directe de die in diem venditioni exposui illa bona & catalla ad valenc 100 s. resid de 8 l. que nuper fuer de bonis & catallis terris & tenitis T. F. infranominac & inde vendidi ad valenc 40 s. quos quidem 40 s. parae habeo ad diem & locum infracontene put interius mihi precipie tunc ibidem solvens Et residuum bonorum & catallozum pdice adhuc penes me remanent invendite pro defectu emptorum sed venditioni apponam de die in diem & quando vend contiger denar inde provenient coram Baro infrascripte habeam secundum formam & effectum hujus brevis. Kirch. 278. Wilk. Lat. 154. Wilk. Eng. 350. & Dalton 304. Et ibid Dalton ut supra usque p defectu emptorum and adds no more.

Aliter.

¶ Illa bona ad valenc 20 marcarum infrascripte que virtute brevis Dni Regis nunc nup mihi directe cepi de bonis & catallis terris & tenementis que nup fuer T. F. infranominac venditioni exposui & vendidi & denar illos coram Baro infrascripte ad diem & locum infracontene parae habeo put interius mihi precipie. Kitch. 278. b. Wilk. Eng. 351. & Lat. Dalt. 305.

Aliter, de Ovibus in manibus nuper Vic.

Baron infrascripte certifico Quod ille Centu-
obes in hoc breve spec venditioni exponere
non potuit eo quod adhuc remanent in manus
infranominat A. B. nup Vic Com C. & nun-
quid mihi pfae nunc Vic adhuc p pfae nup Vic
deliberi fuer. Vide Dal. 305. Wilk. Lat. 154.

Et Fitz. Process 99. Br. Ret. 15. Vic retord
quod bona non fuer capta per ipsum nunc Vic
sed p quendam C. nup Vic predecessor, &c.
Ideo bona illa venditioni exponere non potui.
Dalton 305.

Nondum inveni emptores.

Virtute, &c. Baron infrascripte certifico quod
10 die A. &c. cepi de bonis & catallis terris
& Censibus infranominat W. ad valorum, &c.
Et de bonis & catallis terris & Censibus J.
D. &c. ad valorum, &c. Et ille venditioni ex-
posui ad que nondum inveni emptores Et
ideo denarios, &c. Id. Dalton.

Mortui sunt.

A. B. & C. D. infranominat mortui fuer
diu ante emanationem huius brevis nec ali-
qua fuer bona seu catalla terras seu Censita
in balliba mea que extendi & appreciari pos-
sum put p breve istud interius mihi preci-
pic. Dalton 305. Kitch. 278. b. Wilk. Eng. 351.

Nihil fact' propter temporis brevitate.

Infranominat A. B. & C. D. mortui sunt,
Et quoad residu Executoi nihil per me actum
Nihil

The New Return Brevium.

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est ppter temporis brevitatem. Id. Dak. 305. Brev. Reg.
Kitch. 278. Willk. Eng. 351.

Return' Brevium ad Cur' de Banco Regine & de Communi Banco.

The form of an Indenture for setting over
Prisoners, and Writs between two Sheriffs.

This Indenture, &c. between R.S. Esq; late
Sheriff of the County of C. of the one part,
and A.B. Kt. now Sheriff of the said County of
the other part, Witnesseth, That the said R.S.
by virtue of her Majesties Writ of Discharge of
his late Office to him directed, hath delivered
and set over, unto the said A. B. these Writs
following, that is to say, *A. Capias versus W. F.*
Return' Octab' Hillarij ad festum J. S. (&c.) To-
gether with the Bodies of J. N. in Execution
at the Suit of G. H. for a Debt of 22 l. and
J. H. at the Suit of C. D. in Execution for 10 l.
and R. G. in Execution, as well at the Suit of
J. D. for a Debt of 100 l. as also at the Suit of
N.W. for a Debt of 40 l. (&c.) In witness, &c.

Note, All the Writs which are set over in
the Indenture between the Sheriffs, if they
have been executed by the old Sheriff, must be
return'd by him or in his name, and indorsed
or subscribed by the new Sheriff thus:

*Itud breve pout indorsatur mihi delibe-
ratum fuit p R. S. Mi nup Dic pr' pre-
decessor meum in ejus exie ab Officio
suo.*

A. B. Mil. Vic.

Ranc. Reg.

See *Daltons Office. Vic.* last pub. fo. 18. and see *Complais Sheriff*, fo. 24. See also *Wilkinson of the Office of a Sheriff* fo. 59. and *Greenwood*, revived fo. 175.

The Retorn of a Writ where the Sheriff dieth after Execution thereof, and so returned *prout indorsat* by the present Sheriff.

*Iustic infrascripte certifico qd post Executo-
rem istius brevis & ante retord inde C. A.
Writ nup Dic Com pdice obiit Et qd hoc
breve put supius indorsat & retord mihi A.
S. Ne modo Dic Com pdice deliberat fuit
per G. C. deputat Dic pdice C. A. nuper
Dic Com pdice.*

R. S. Ar. Vic.

See Wilk. on Greenwood 235.

Accedas ad Curiam, &c.

Note, The Writs of *Accedas ad Curiam*, false Judgment, *Pone*, and *Recordari facias*, are to remove Actions out of Inferior Courts into Superior.

Accedas.

The *Accedas ad Curiam* Issues out of the *Chancery*, upon a Plaint sued or Judgment supposed to be given in the Sheriffs County Court, Court of some Lord or Franchise, Hundred Court, Court Baron or the like, (being no Court of Record) to make Record of the same Suit, &c. and to Retorn and certifie the same, under his Seal, and the Seals of four of the Suitors of the same Court.

False Judic.

If it be in the County Court, then tis properly called a Writ of false Judgment, but if

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if in any other Court Baron, &c. then *Banc. Reg.* properly 'tis called an *Accedas ad Curiam*. *Vide Dalt. Offic. Vic.* last pub. 200. and *Wilk. on Greenwood* 76, last pub. of the County Court.

In an *Accedas ad Curiam*, 'tis said that nothing but the Plaint shall be removed, though they be at Issue. *Finch. 444. Dalt. Offic. Vic. 200.*

But the Writ of false Judgment is to remove all Procefs of the Suit into the Common Bench, to be examined; and if found erroneous, the Judgment shall be reversed. *Wilk. on Greenwood* 72. *Dalt. 242.*

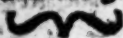
A *Pone* is always to remove such Suits, as are *Pone*. before the Sheriff by Writ of Justicies, and not by Plaint only, and a *Recordari* is to remove the *Recordari*. Suit that is by Plaint only without Writ of Justicies, into the *Queen's Bench* or *Common Pleas*, and yet nothing shall be removed but the Plaint. *Vide Dalt. 271. Wilk. on Greenwood* 69, 71, &c.

Upon this Writ of *Accedas ad Curiam*. Mr. *Wilk. on Greenwood* pag. 76. says, The County Clerk is to make a Precept in the Sheriffs name to the Steward, and Bailiff of the Court Baron, &c. and sets forth the Form thereof, Then follows the Stewards Return.

Ebor ff. J.B. vic Re Comd E. Benescall & The Pra-
Ballibo Cur honor de P. saltem Dirrute hys cept.
bis mihi direct' vobis mando qd assumptis
vobiscum quatuor discretis & legalibus libe-
ris Tenentibus de Comd pdice Accedatis ad
Cur, &c. Et habeatis (gc.) Dat. (&c.)

per Vic.

The



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The Return of the Precept.

Honor de
P.

**Cur Baro G. S. J. R. &c. Tene apud
D. p. Honoze de P. 12 die Junij anno regni
Domini nostri Caroli secundi Dei gra Angt
Scot Franc & Hibnie Regis Fidei defens,
&c. 14.**

The Plaint.

**R. S. querit verā J. P. de placito trans
sup Casum ad dampnū 305. — then fol-
lows — Virtute hujus Precepti mihi di-
rect' ad Cur pdice Tene die & anno predict' im-
pleū Cui ibidem Recordari feci Loguelam
unde interius sit mentio que Loguel' patet
supra scripte Et illud Record' retornabi sigil-
lac sigillo meo & sigillis pdict' quatuor le-
galium hominū qui eadem Cur Record' ill' in-
terfuer Et partibus pdict' diem prefiri in
hzebi specificae qd tunc sint parat prout ju-
stum fuerit processur in Loguela pdict' sicut
interius mihi precipit'.**

W. O. Seneschal'.

J. H. T. H. }

J. G. R. H. } Suitors.

The Sheriffs Return of the Record to be deli-
vered into Court.

**Virtute hujus hzebis mihi direct' in forma
infra script' accessi ad Cur infra script' & im-
plena Cur ill' Recordari feci Loguel' infra-
script' Et record' illud (pnt patet in Schedul'
huic hzebi annex') coram Justie Dñi Regis
habeo ad diem & locum infracontent' sub si-
gillo meo & sigillis J. P. (&c.) quatuor le-
galium hominum Com' mei ex illis qui re-
cord' interfuer Et partibus infra script' diem
prefiri**

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prescri in brevis specificat qd tunc sint parat^{Banc. Reg.}
put iustum fuerit & processurⁱⁿ in Noquela sicut
interius mihi precipit.

Note, Tho' the Sheriff is to take with him
four Men of the County, yet they need
not be Knights; but he must Return the
Writ under his own Seal, and the Seal of
four of the Suitors of that Court. *Dalton*
201, &c.

Or thus if the Record be not returned *Secund.*
Wilk. on Greenwood. 78.

Virtute huius brevis mihi direct^{us}, &c. in p^{re}s^{en}t^{ia}
Persona mea assumptis mecum R. S. (Et.)
quatuor p^{re}bis & legat^{is} milit^{is} Com^{itis} mei
Accessi ad Cur^{iam} Baron^{um} S. S. J. H. &c. ten^{ent}
apud P. pro Honore de P. Noquelam p^{re}dict^{am}
Recordari ad diem & locum infracontent^{um}
p^{ro}ut interius mihi precipitur unde Secta^{tor}
eiusdem Cur^{ie} apud P. p^{re}dict^{am} in plen^o
Cur^{ie} mea infrascript^{is} Die idem brevis ibidem
exequi vel quoad Noquel^{am} p^{re}dict^{am} aliquo
modo intermittere omnino denegaver^{is} p^{ro} quod
execuc^{us} istius brevis facere non possum, &c.

And here it is noted to be a good Return for
the Sheriff to say, That after the Receipt of the
Writ, and before the Return thereof, no Court
was holden, and that also he required the
Lord to hold his Court, and he would not, so
as he could not execute the same. See after.

Aliter secundum Brev. Judic. 263. ubi Sectatores
noluer^{is} liberare Recordum.

Virtute istius brevis assumptis mecum J. C.
D. & B. quatuor dilect^{is} & legibus ho^{min}ibus de
ballia mea accessi ad Cur^{iam} D^{omi}ni Regis Lincoln^{ie}
parcell^{is}

Banc. Reg. parcell Ducat ipsius Dnd Regis Land infra-
 scripe tene ibm die Martis octavo die M. anno
 rnd ejusdem Dnd Regis quarto ad recozband
 in Cur ille loquelam infrascribe requirend
 J. B. & W. sectatores Cur pñ tunc ibm exi-
 fied ad deliband mihi Recoꝝ loquet pñ ut
 Recoꝝ illud habem coram Justic infrascribe
 ad diem & locum infracontene Ac pñ secta-
 tores Recoꝝ pñ mihi delibare penitus rem-
 laber Ob quod Recoꝝ illud coram eisdem
 Justic ad diem & locum infrascribe habere
 non possum put interius mihi pñcipie &c.

Retorn' sur Distringas Sectatores ad habend'
 Record.

Manucapē W. R. U. P. & eoꝝ } J. Doe &
 cujussibet } R. Roe.

Exis eoꝝ cujussibet &c. 2^s.

Sund C. B. & R. S. R. S. & J. P.

Vide Brev. Judic. 264.

A. B. Ar' Vic'

Aliter secundum Offic. Brev. 195.

Virtute istius bñs mihi directe in forma
 infrascribe in plena Cur ille recozdari feci lo-
 quelam infrascribe & Recoꝝ illud put patet
 in Scheda huc hñvi annex' habeo coram
 Justic infrascribe ad diem & locum infracon-
 tene sub sigillo meo & sigillis C. M. C. B.
 D. C. f. P. quatuor pboꝝ & leglūm hñūm
 de ballia mea qui Recoꝝ ille interfuer Et
 partibus infrascribe diem ille pñxi qñ tunc
 sint ibi in loquela ille put iustum fuerit pñecu-
 tur put interius mihi pñcipie R. O. Ar' Vic'

Aliter secundum Brev. Judic. 233.

Virtute istius bñs mihi direct' assume me-
 ram J. D. & R. f. W. M. & P. C. quatuor
 discreet & legal Milie de Com. meo infrascribe
 in pñ pñona mea accessi ad Cur W. R. M. P.
 de

de C. & in plena Cur ill recozdari feci loquel
que est in eadem Cur sine hzebi Dnd Regis
inter partes infrascripte ad diem & locum in-
fracone sub sigillo meo & sigillis W. A. S. A.
H. P. & W. S. quatuor leglium homin ejul-
dem Cur ex illis qui recozdo ill interluei Et
partibus eundem diem pfixi qd tunc sint ibi
in loquela illa put iustu fuerit pcessui Tenor
cujus quidm loquel patet in quadm Schedul
huic hzebi annex.

C. ff. Cur W. A. Manerij sui p d ibm tene
19 die Sept. anno rni Regis, &c. 20.

W. S. querie de P. G. de plico captonis
duar. vaccarum, E. P. Ar. Vic

Alit' secund' Of. Brev. 195. & Sectat. denegaver.

Virtute istius bñs mihi directe in ppi pson
mea assumptis merum J. C. S. M. &c. ppos &
legles Mñ de Com meo, accessi ad Cur J. A.
de C. ad recozdam Loquel infrascripte ad diem
& locum infracontene put interius mihi picipie
sup quo Sectator Cur p apud villam de C. in
plena Cur me infrascripte Dic ad dem bre ibm
exequenti aut de Loquela p aliquale inter-
mittendi penitus denegaver. Ob qd executio
bñs p mid facere potui. Vide Kirch. 257.

R. O. Ar. Vic.

Aliter secundum Dalt. Offic. Vic. 200, &c.

Et Loquela retorn.

Virtute istius bñs mihi directe in forma
infrascript accessi ad Cur infrascript & in ple-
na Cur illa recozdari feci Loquelam infrascripte
& Recozdam illud (put patet in Scheda huic
hzebi annexae) habeo coram Justic infra-
scribe ad diem & locum infracontene sub sigillo
meo & sigillis J. B. C. D. E. F. & G. H.
quatuor pbor & leglium homin de balliva
mea

Esne. Reg. mea qui Recordo illo interfuerunt Et pñib⁹
 infrascripte diem illum pñiri qñ tunc sint ibi
 in loquela illa put iustum fuit pñecutur put
 interius mihi pñcipitur. A. B. Ar⁹ Vic⁹

Vide Kitch. 256. Wilk. on G. 229.

The Return of the Precept, &c.

Horsheath. Ad Cur Baroñ C. N. Apil ibm tene terto
 die Februarij año ec. regni (Ec.)

The Plaintiff. J. S. querit qñ W. W. de pñito captonis
 & injuste detentonis agioꝝ suoꝝ.

And here 'tis noted, That nothing but the
 Plaintiff shall be removed, though they be
 at Issue. *Finch* 444.

The Bailiff's Return of his Warrant to the
 Sheriff.

Virtute istius Precepti mihi directe accepe
 mecum C. D. E. f. G. H. & I. K. quatuor
 discreet Milite * Hundredi de C. pñ accessi ad
 Cur C. N. Apil Et recordari feci Loquelam
 que est in eadem Cur inter J. S. Querit
 W. W. Def. Et recordo illud parat habeo sub
 sigillo meo & sigill pñ quatuor Milite ejusdem
 Cur † ex illis qui recordo ill interfuer Et pñ
 bus pñtis eundem diem pñiri put mihi pñe-
 ptum fuit. In cujus rei testimonium tam
 ego Ballibus Hundret pñ qñ pñ C. D. E. f.
 G. H. & I. K. quatuor legat Milite Hundret
 pñ pñentib⁹ sigilla nostra appoluiimus, &c.
Dalt. 201. Wilk. Lat. 128.

* Here it is observed, That it is good no Re-
 torn that there are no Knights within the
 Hundred.

† Also it seems that quatuor Milite ejusdem
 Cur, (&c.) as above, is a mistake; Cur
 for Com.

Aliter,

Aliter, where he returns that no Court was kept. Dalt. Offic. Vic. 201.

¶ Nulla Cur infra script C. N. Mil (unde infra fit venio) tene fuit post receptionem huiusbris & ante diem recordi ejusdem p quod exco-
cuto istiusbris ad presens p me fieri non potest.

But here it seemeth, the Sheriff ought to re-
turn further, That he hath required the
Lord to hold his Court, and that he will
not. Fitz. 18. C.

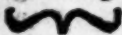
Aliter, where the Lord would not hold his Court.

¶ Dicitur. Et accessi ad R. infra script Et
ibm rogabim infanciam W. S. cum magna in-
stantia tenere Curiam suam infra script ut
excocto istiusbris mihi direct ibm secundum for-
mam ejusdem p me fieri possit. Et ibem W. Cur
suam ibi a tempore receptionis istiusbris usque
diem recordi inde tenere mihi curabit & oio
reversabit. Et ibem executio istiusbris latore
non possum. Dalt. Offic. Vic. 556.

Aliter, if the Record be not delivered.

¶ Dicitur istiusbris mihi direct in ppria
plona mea assumptis mecum J. S. Et accessi
ad Cur J. D. Si ad recordans loquelam in-
fra script ad diem & locum infra content put
interius mihi precipitur, sup que Secutores
Cur p apud villam de C. in plen Cur me in-
fra script Die ad dict hzebe ibm exequens aut
de loquel p aliquant intermitten penitus
denegaber Ob quod executionembris p
mihi facere potui. Vide Kitch. 257. a.

Aliter,



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Aliter, where there is no Plaint.

Justic infrascript certifico qđ non habetur
nec die impetratōd humod brevis habebatur
aliqua talis loquela in Cōd meo inter par-
tes infrascript pnt interius sit mento.

Pleg de pñ J. D. R. R.

Vide Brev. Judic. 234.

Faux Judgment.

Retorn of a Writ of False Judgment by the
Sheriff, That the Suitor and Steward of the
Court refuse to deliver the Record.

Virtute istius bris mihi direct assumptis
mecum P. M. Sc. quatuor legalib' militib'
(or pñis & legalibus hominibus) de Comita-
tu meo in pñia psona mea accessi ad Curiam
C. M. Sc. tene apud P. tñ die & anno Et in
plena Cur ibm ab N. B. Sc. Sertator ejusdē
Cui & R. B. Beneschallo ibidem petij Reco-
dum loquela que est in eadem Cur p parbo
breve Und Regis de Recto inter J. D. pe-
tene & P. B. tenent fieri & mihi liberari,
qui quidem Beneschall & Sertator Recordum
illud mihi libari noluerunt Ob quod execu-
tōd dicti bris miē facere potui Sc.

Vide Dalt. Offic. Vic. 242. Kitch. 257. &
vide postea. And see there what other Returns
may be allowed or disallowed. Vide etiam
Brev. Judic. 264, 265. & Offic. Brev. 196.

Aliter

Aliter in Cur' Baron' vel Hundred' & Loquela
recordat' secundum Dalt. 201.

Virtute b'ris Dñi Regis huic Schedule an-
nex' (assumpe mecum B. C. D. E. F. G. H. I.
quatuor legal Milie de dño Comd meo) in
ppria plona mea accessi (ad tlem Hundred' vel
ad tlem Cur) Et in plena Cur ill (sive in ple-
no Hundred) [recozdari feci loquelam infra-
scribe Et recozd ill] coram Justie infra-
script ad diem & locum interius contene sub
sigillo meo & sigillis quatuor leglium hominū
ejusdem Cur qui Recozd ill interfuer habeo
parat huic bzebi annex' juxta tenorem ejus-
dem bzebis . Et partibus in eodem bzebi no-
minat eundem diem pñxi qđ tunc sint ibi in
Loquela ill pnt justum fuerit pcessur secđm
quod istud bzebe in se exigit & requirit, &c.

[This is
there left
out.]

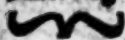
Note, It's here said, That the reading the
Writ in Court is a sufficient warning to
the parties to be before the Justices at the
day.

Aliter Retorn' Brevis de Falso Judicio. Dalt. 242.

¶ Virtute istius bzebis (assumptis mecum
J. W. (Ec.) quatuor discret & leglibus Milie
(or hominib') de ballia mea) in ppria plona
mea, accessi ad Curiam Caroli Regis Angl
de G. tene apud Ec. (tli die & anno) & in ple-
na Cur ill recozdari feci Loquelam, Unde in-
fra fit mentio & Recozd illud habeo coram Ju-
stie infraspē ad diem infracontene quod huic
bzebi est consue sub sigillo meo & sigillis B. C.
D. & E. quatuor legal hominū ejusdem Comd
ex illis qui Recozd ill interfuer &c.

K

Aliter



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Aliter sur Mandavi Ballivo.

Ad executionem istius hzebis mihi dixerunt ballio Libratis P. Comd. A. Punde sui de A. in Comd. P. qui habet plenam executionem officii Brevium & Precepti infra Librat. & exequend. & record. eor. dnd. cui executio istius hzebis totaliter resistat faciens pro eo quod Executio inde aliter in ballia mea extra Comd. Librat. fieri non potest. Qui quidem ballivus sic mihi respondit Quod ipse assumpsit secum J. D. C. H. W. F. & W. C. quatuor discretos & legales Milites in Comd. p. in ppe. persona sua accessit ad Pundret infra scripti. Et in pleno Pundret illi recordari fecit Roguelam que est in eodem Pundret sine hzebi Dne Regine infra scripti ad diem & locum infra content. sub sigillo meo & sigillis p. H. D. & c. quatuor legittimorum hominum ejusdem Pundret ex illis qui Record. illi tunc fuer. Et partibus eundem diem p. Et tunc sint ibi in Roguela illi put. iustum fuerit processur. Et qd. resid. Executionis illi patet in quadam Schedul. huic hzebi annex.

P. A. Vic. T. S. Gen. Ballivus.

Retorn of an *Accedas ad Curiam*, That the Bailiff and Suitors denied to record the Plaint, took away the Books, and hastily went out of Court.

Virtute hzebis Dni Regis huic Schedula annex. (assumptis mecum quatuor discretis & legal. Militibus de Comd. C.) accessi ad Pundredum unde in dicto hzebi sit mentio tunc apud B. (t. die & anno) & in pleno Pundret illo Roguelam unde in dicto hzebi sit mentio recordari volui Et J. B. ballivus ad tunc & ibi.

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ibm in plena Curia sedens, viso & audito Banc. Reg.
 bzbi p^o libzoz suos Roquelam p^o tangentes
 immediate clausit surrexit & festinans ab
 Pundzedi illo una cum omibz libziz illis &
 omibz sedis ejusdem Pundzedi adtunc & ibm
 existens assumpsit secum indilate recessit &
 pceptum dicit Dond Reg. in p^o b^oi specificat
 adtunc & ibm fieri execue. omnino denegavit
 & contradixit & libzoz p^odice indilate adtunc
 & ibm a visu meo vi & armis manufoze ab-
 sulit & rescussit p^o qd executionem istius bzis
 ad plens facere non possum. Vid. Dalt. 201.

Retorn of an *Accedas ad Cur'* executed in form,
 with the Complaint and Schedule thereunto an-
 nexed.

Pleg de p^o J. D. R. R.

Resis vero executioni istius bzis patet in
 quadam *Schedula* huic bzid annex.

Summond J. D. R. R.

Virtute istius bzis huic *Schedule* annex
 (tali die & anno, &c.) assumpris mecd R. T.
 J. B. R. C. & W. P. quatuor discretis &
 legalibus *Offic* de ballia mea, accessi ad
 Cur T. Ducis B. de R. in b^oi p^odice nominat
 & in plena Curia illa petij a Ballivo & Se-
 cator ejusdem Cur recordari Roquelam, que
 fuit in eadem Cur p parvum bzid Dond Reg
 de Recto inter R. T. petentem & T. B. tenent
 de uno *Wessuagio*, &c.

Pundzedi C. B. Ac tene ibm p W. B. Se-
 neschat suud ibm coram J. T. & R. C. &c.
 Secatozibus Cur Pundzedi p^o 10 die *Waij*
 ano, &c. inter alia sic continetur.

J. B. Sed querie *Slus* R. G. in placito
 captonis & injuste detentionis a^oio 4. sive ca-
 tallo 4.

K 2

Pleg

Banc. Reg.

Pleg de p̄s ac de aver retoꝝd si ꝛc. A. B. C. D.

nomina quatuor legum ho-
minu[m] Hundꝛet ex illis qui Recoꝝd
illi interfuer A. B. C. D. E. F. G. H.

Virtute istius brevis mihi directe in forma
infrascripte accessi ad Cur[iam] infrascripte & in
plena Curia illa recoꝝdari feci Loquet infra-
scribe Et Recoꝝd illud (put patet in Sche-
dula huic brevi consuta) habeo coram Iusti-
ciariis infrascripte ad diem & locum infra-
contene sub sigillo meo & sigillis A. B. ꝛc.
iiii. p̄boꝝ & legliu[m] hominu[m] de ballia mea
ex illis qui Recoꝝdo illi interfuerunt & par-
tibus, ꝛc. (ut ante.)

Aliter secundum Dalton 556. where the Re-
cord is not delivered.

Virtute, ꝛc. assumptis mecum D. F. ꝛc.
quatuor discreet & legal W̄ir de ballia mea
accessi ad Cur[iam] infrascripte A. B. tene apud
(tli die, ꝛc.) ad recoꝝdand in Cur[ia] illa Loque-
lam infrascripte ad tunc & ibi[m] requirere B.
C. ꝛc. Sextatoꝝes Cur[ie] p̄s tunc ibi[m] existet
ad deliband mihi Recoꝝdu[m] Loquele p̄s ut Re-
coꝝd illud herem coram Iustic p̄s ꝛc. Qui
Sextatoꝝes Recoꝝdum mihi delibare noluer
Ob quod Recoꝝd illud coram Iustic ꝛc. heri
non possum. Vide ante, Acced. ad Cur. Vide
Kitch. 257.

'Tis observed, That upon the Writ of *False
Judgment*, although the Pleint or Suit be de-
termined, yet the Sheriff is to make Execution
of the Writ, *scilicet*, he is to require a sight of
the Plea, and to record the same, and to return
the same Record together with the Writ.
Dyer 268. Dalt. 243.

Note,

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Note, It's said to be a good Retorn for the Sheriff to say, That after the receipt of the Writ, and before the Retorn thereof, no Court was holden, so as he could not execute the Writ. *Fitz. Ret. 21. Dalt. 242.*

Also, That the Sheriff required the Lord to hold his Court, and the Lord would not, so as he could not execute the Writ; and upon such Retorn, the Justices will award a Distress directed to the Sheriff, to distrain the Lord to hold his Court. *Id. Fitz. 19. c. Lib. Intr. fo. 342. Dalt. 242, 243.*

The Sheriff returned, He had been at the Court, and the Suitors would not record the Plea. *Fitz. Faux Judgment 6, 8, 21. Dy. 262.*

The Sheriff returned, That he came to the Court to record the Plea, and that the Suitors said there was no such Plea, &c. *Fitz. Faux Judgment. 13. Nat. Br. 16.*

Or that the Suitors would not deliver him any Record. *Fitz. Process. 118.*

Or that the Suitors would not deliver him the Record, nor suffer him to have it. *Fitz. Recorder. 7. Li. Intr. 342.*

If the Sheriff returneth, *Quo breve adeo tarde venit, Quod executionem ejusdem facere non potuit*, this it's said is a good Retorn; and hereupon the party may have a *sicut alias* directed to the Sheriff; and if the Sheriff doth not return this at the day, then shall the party have a *Pluries* directed to the same Sheriff, &c. *Li. Intr. 345. d. Dalt. 243.*

Pone, to remove a Suit, secund' *Wilk.* on G. 71.

Virtute hujus brevis mihi directi posui coram Justiciariis Dni Regis de Banco apud Westm Loquel que est in Comd meo p bpe Dni Regis The Retorn
K 3 de

Banc. Reg.



The Schedule.

de Justit inter A. B. & C. D. de plito Debi
ut dicitur put patet in quadam Schedul hui
brevis annex, &c.

Ad Comd meum tene apud Castrum Ebor
in Comd pd die Lune 12^o die Augusti anno
Regis nunc Caroli secundi Angl &c. 12^o
A. B. queritur vs C. D. de plito Debi. In
cujus rei testimonium R. T. S. R. C. O. &
S. D. quatuor legles hoies ex illi qui Retorn
illi interfuer in plena Cui sigill sua sepalliter
apposuer die & anno supdctis, &c.

'Tis here noted, That if a Plea be removed
by *Pone*, at the instance of the Defendant, or by
the Plaintiff, and afterwards they proceed be-
low in the Plea, and give Judgment, and award
Execution, &c. then the party against whom
Judgment is given, &c. shall have an Attach-
ment against the Sheriff, directed to the Co-
roner, to answer as well the King for the Con-
tempt, as the Party his Damages, &c. *Id. Wilk.*
on G. 72, 227. *Kitch. 255. a.*

Aliter secundum Dalt. Offic. Vic. last pub. 269.

It Virtute istius brevis mihi directe posui
coram Justit Dnd Regis de Banco apud
Westm Loquelam que est in Comd meo p bre
dcd Dnd Regis inter C. D. & P. B. de abe-
rijs ipsius C. D. cape & injuste detene ut dic
put patet in quadam Schedul huius bvd an-
nex. &c.

Or thus.

Virtute istius brevis in forma infrascripte
posui Loquelam infrascripte ad diem & locum
infrascripte put interius mihi precipitur. Cu-
jus quidem Loquale recordum patet in Sche-
dula

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data hanc brevi consue simulcum alio breve Banc. Reg.
unde infra sit mentio.

Sund C. P. J. D.

Ad Com meum tene apud C. 12^o die H.
anno regni Dni Regis nunc, Et. 20^o C. M.
querie ad P. C. de plice Capton & iniuste
detenton adior. Et sunt Pleg de psequend
& retord hend, si res inde adjudicetur, viz.
J. M. W. F. In cuius rei testimonium
J. H. B. C. D. G. & A. S. quatuor leges
hōies ex illis qui Recorbo illi interfuer in
plena Cur' illi eidem Recorbo sigilla sua al-
ternatim apposuer' die & anno supdictis.

It is here noted, That if the Plaintiff hath
suffered a Nonsuit, then it seemeth there resteth
nothing to be removed, but the Sheriff may
return, **Ad ad pr Com, Et. le Ple fuit non-**
sue, Et sic nul parol la.

But notwithstanding that the Plea be dis-
continued in the County, yet it may be remo-
ved by a *Recordari*.

That upon a *Pone* or *Recordari* the Plaint only
shall be removed.

There are other Retorns of a *Pone*, for which
see after, *Tis. Pone*.

Recordari fac Loquelam.

Upon this Writ nothing shall be removed but
the Plaint, although the parties are at Issue.
Fitz. 71. a. Dalt. 272. and it is retornable into
the Court of *Queens Bench* or *Common-Pleas*;
and the Sheriff is hereupon to summon the
other party to be in that Court (into which the
Plaint is to be sent) at a day certain; and of
all this he is to make Certificate under his own

K 4

Seal,

Banc. Reg. Seal, and the Seal of the four Suitors of the
 same Court. *Vide Wilk. on G. 69.*

Recordari.

**Virtute hrebis mihi directe in pleno Com
 meo tene apud C. in Com C. infraſcripſe (ſi
 die & año) recoꝝdari ſeci Loquelam que eſt in
 eodem Com inter partes infraſcripſe Unde
 interius ſit mentio que quidem Loquela patet
 in quadam Schedul huic hrebi annex' Et
 recoꝝd illud heo coram Juſtic' infraſcripſe ad
 diem & locum infracontene ſub ſigillo meo &
 ſigill W. P. C. R. &c. quatuor pboꝝum & le-
 galit' homin' (or Milie) ejusde Com ex illis
 qui recoꝝd ill' interfuer' Et partibus infra-
 ſcripſe diem illum pfixi qd tunc ſint ibi in Lo-
 quela illa put juſtum fuerit pſecue put inte-
 rius mihi pſcipitur.**

Schedul'.

**Ad Com meum tene apud C. in Com pō (ſi
 die & año) coram W. W. S. S. T. W. & A. B.
 quatuor' Sectaror' Cur' pōine al ſic continet.**

Loquela.

**R. S. querit qd J. C. de plito capſonis
 & injuſte detenſonis actioꝝum ſuoꝝum (contra
 vad' & pleg' &c.) Et ſunt pleg' de pō necnon
 de retoꝝd hend' ſi retoꝝd adjudiceſ.**

**Pleg' de pō J. D. R. F. In cujus rei te-
 ſtimonium, &c. (as before in a Pone.) Vide
 Dalt. 271. Offic. Brev. 195, 217. Wilk. Lat.
 128. Kitch. 255. b. Wilk. on G. 230.**

Idem Dalt. 272. it is ſaid, Though upon an
Accedas the Sheriff muſt take with him four men
 of the ſame County, yet in a *Recordari* he need
 not take any with him.

Alſo if the *Recordari* beareth date before the
 Plaint be entred in the County-Court, and the
 Sheriff removeth it, it is good.

That the Plaint being removed, the party
 ſhall declare upon the ſame; and that in the
Common-Pleas the Plaintiff may declare anew, &c.
Wilk. on G. 71. Aliter.

Aliter.

Virute hujus bñs recozdari feci, Toquela
que fuit in Comd meo sine bñi Dñd Regis inter
J. W. & P. S. infrascripte de adiis ipsi J. capē
& injuste detent Et eisdem partibz diem &
locum infracontene pñxi, qđ tunc sint ibi in
Toquela illa put justum fuerit pressur, put
illud hzebe in se exigit & requirit Cujus qui-
dem Toquela recozđ huic hzebi est consue &c.
Dalt. 272. Libr. Intr. 570. d. — Or, Que
quidem Toquela patet in quadam Schedul
huic hzebi annex. Wilk. on G. 232.

Aliter secundum Greenw. 69.

Virute hujz bñs mihi direct ad Comd meū
C. tene apud Castrū C. infrascripe (tli die &
año) Recozdari feci Toquelam, de qua inēius
fit mentio, que patet in Schedul huic hzebi
añer. Et illud recozđū coram Justic infra-
scripe heo ad diem & locum infracontene sub
sigillo meo & sigill W. F. R. & C. quatuor
pboz & legalium Milie ejusdem Comd ex il-
lis qui Recozđ ille interfuer Et partibus in-
frascripe eundm diem pñxi, qđ tunc sint ibi
in Toquela ille put justum fuerit pressur sicut
interius mihi pñpie.

Resid executō hujus bñs patet in quadm
Schedul huic hzebi annex.

Ad Comd meū tene apud Castrū C. in Comd The Sche-
pđ (tli die & año) corā J. R. M. L. J. S. & dule.
S. D. quatuorz Sextator dice Cur inter alia
continetur.

R. S. querie qđ B. W. de plito debi The Plaint.
(as the Case is.) J.B. Ar.Vic.

Pleg de pñ J. S. J. D.
In cujus testimoniū (&c.) Aliter

Aliter.

Virute hujus brevis recordari feci Loquela
que est in Cond meo sine brevis Dnd Regis inter
H. B. & C. D. de actis ipsius H. B. cap. &
injuste detent ut dicie Et record illi coram
Justicie infrascripte ad diem & locum infra
content hec sub sigillo meo & sigillis C. B.
S. D. R. B. & J. L. quatuor legal Will
Cond mei, ex illis qui Record illi intertuer
put patet in quadam Schedul huic brevis annex
secundum exigent hujus brevis. Vide Wilk. on G. 70.
Vide Bro. Judic. 233, 234.

Aliter.

Virute istius brevis mihi direct recordari
feci Loquelam que fuit in Cond meo in par
tes infrascripte Et eisdem partibus diem prefiri
essent coram Justicie infrascripte ad diem & lo
cum infracontente put istud breve in se exigit
& requirit, que quidem Loquela patet in qua
dam Scheda huic brevis confur.

Querel.

H. B. querie vers C. D. de plito raptoris
& injuste detentoris aditum suorum.

Pleg de p. & c. (ut supra) Vide Dalt. 271.

Aliter secundum Wilk. on G. 70.

Virute hujus brevis in forma infrascripte
ad Cur infrascripte veni & in illi plena Cur
recordari feci Loquelam infrascripte Et Re
cord illi prout patet in Schedul huic brevis
annex habeo coram Justicie infrascripte ad
diem & locum infracontente Et partibus in
frascripte eundem diem prefiri quod tunc
sint

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sint ibi in Noquela illi prout iustum fuerit processur' sicut interius mihi precipitur.

A. B. queritur vers' C. D. de placito caplonis averiorum ipsius A. B. In cuius rei testimonium C. B. S. D. J. M. & J. K. quatuor legales homines ex illis qui Recordi illi interfuer' in plena Curia apud Castrum C. in Com' p'ed' decimo die Augusti, &c. eidem Recordo sigilla sua sepelie appoluer' die & anno sup'dictis.

Note, That if the Retorn shall be, **Ad Com' meum tene**, &c. Recordari feci Noquelam que est in eodem Com' coram me, this is not good, for the Suitors are Judges there. And therefore it must be, coram **Senatozibus Curie**; and not, coram me. Dal. 271.

Also the Schedule must be, **Ad Com' meum tene** (tali die & anno) coram such and such, **Senatozibus Curie**; and not, coram me. Ibid.

In a *Recordari de Averiiis*, the Sheriff may return, **Quod causa non est vera**. Ibid.

And also he may return a *Tarde*. See after, tit. *Tarde*.

See more of these in the *Compleat Sheriff*, fo. 69.

Admea-

Admeasurement.

Admeasurement of Pasture, and Admeasurement
ment *de Dower.*

That *Nihil* may be returned in a Writ of
Admeasurement of Pasture or Dower: *Br. Ret.*
101. *Dalt.* 202.

Retorn of a Proclamation in a Writ of Ad-
measurement.

Ad Comd meum Tene apud Castrum C. in
Comd C. infrascripte 21 die, &c. anno regni
Regis infrascripte 3. Et ad Comd meum tene
apud Castrum C. pdice 22 die, &c. anno su-
ppradicto Proclamari feci omnia & singula in bre-
vi pdice specificat p[ro]p[ri]e mihi interius p[re]-
pic. Dakon 202.

Retorn Distringas in *Admensuratione Dotis.*

Ad Comd meum tene apud C. tali die &
anno Proclamari feci q[uo]d infranominat J.
veniret coram Justic infrascripte ad diem &
locum infracontene p[ro]ut interius mihi p[re]-
pic. Vide Brev. Judic. 35.

R. B. Ar. Vic.

Note, Where the Admeasurement of Pasture
or Dower is made before the Sheriff in
his County, there the Sheriff himself is
Judge. *Fitz. Adm.* 3.

But if it be removed, then he cannot make
Admeasurement, but must first go to the Lands,
and so divide and praise them by a Jury of se-
ven

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ven Men, and so return in certain how much the two parts are worth *per ann.* and how much the third part is worth *per ann.* and when that appeareth to the Justices, it shall be Admeasured as the Court shall think good. *Br. Adm. 2. & Fitz. H. 148. Dalt. 203.*

So that notwithstanding the Defendants default of Appearance, the Sheriff is not to make Admeasurement, but to leave that to the Court of Justices. *Dalt. ibid.*

Annuity, Retorn of the Writ.

The Sheriff may Return—*Quod Def. nihil habet in balliva mea per quod potest Attachiari, or per quod potest Summoniri, or Mandavi ballivo qui nullum dedit responsum.*

Or thus.

Quod ipse Virtute brevis p̄dice cepit de terē & cataē p̄dice M. in balliva sua ad valenc 5 l. &c.

Or the Sheriff may Summon him by his Person, if he have not Land whereby he may be sommoned.

He is here to take of the Plaintiff Pledges *de prosequendo*, and to Summon the Defendants to appear at the Day before the Justices. See *Daltons Offic. Vic. 205.*

Assize.

Affize.

Retorn. Summons, Affize, &c. vide postea
Summons.

Retorn. de Nichil super brevi de Affisa.

¶ Pleg de prosequendo J. D. R. R. infra
nōiac W. L. nihil habet in bailiba mea per
quod Attach potest nec est invene in eadem.

Or thus.

¶ Infranominat A. B. C. D. E. F. & G. H.
Nihil habent nec aliquis eorū habet in bal-
liba mea per quod Attach possint nec aliqui
eorū sunt invene nec eorū aliquis est invene
in eadem. Offic. Brev. 201. Wilk. 125.

Si Attach' sic.

¶ Infranominat A. E. Attachiat est p
unam vaccam precij triginta Solidor Ac in-
franominat C. D. Attachiatus est per unum
Equum precij trium librar ac infranominat
E. F. Attachiat est per tres porcos precij
cujuslibet eorū 2 s. 6 d.

¶ Resid Executionis istius hzebis patet
in quodam pannello (or in quadam Schedul)
huic hzebi annex'. Offic. Brev. 202.

R. P. Ar. Vie.

Panellum:

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Banc. Reg.

Panellum

¶ Nomina Recognitorum Affize nobis discessine
inter M. C. Quer & C. C. Tenent M. B.
C. D. C. F. &c. (to the number of 24)
Ibid. & Dalt. 204.

Summō Jurat (sive Recognitorum) p^o } J. D.
& eorum cujuslibet per se.

Manucapē Sund. (sive } J. M. W. P.
Recognitorum) p^oice & eorum u. } R. S. J. C.
triulq.

Here the Sheriff must Warn or Summon the
Recognitors, &c. Co. Litt. 158.

In Affize, the Sheriff at the first day Retorns
only *Manuaptores Summonitorum & nomina Ju-*
rator, &c. but at the day after he Retorns
Manuaptores Jurator. Vide Dalt. 204. & Fitz.
Ret. 28. Abr. Af. 146.

The Recognitores are taken for the Jury
impannelled on the Affize, and the Summons
may be made to their Persons in any place
within the County where the Land lieth, or if
it be made at their Dwelling-houses, and plain
Notice given to any of their Family 'tis suffici-
ent. Id. Dalt. 204. Litt. 234. Co. Litt. 158.

Vide Brev. Judic. 246. Willk. 126.

Aliter Pleg. de Prof. J. D. & R. R.

Infrascripte J. S. & R. B. Attach sunt &
quolibet eorum Attach est per Pleg' J. D.
R. R.

Residuum Executionis istius brevis patet
in Pannello huic brevis consue.

Nomina

Banc' Reg'.

Domina Recogñ in Affisa nobe disseidine
ine M. C. Quer (seu Peten) & C. C. Tened
(seu Defend) in placito, &c.

M. B. C. D. E. f. &c. (ad numerum 24.)

Suscon Jurat pñ & eoz cujuslibet J. D.
& C. B. (or more) Manucaptor Sund pñce
& eorum cujuslibet. J. S. & J. D.

Aliter.

Executo istius brevis patet in quodd pan-
nello huic brevi annex' Domina Recogñitoi
in Affign nobe disseid ine M. B. Quer J. M.
Def. J. D. J. S. &c. (to 24)

Quilibet Recogñitoi pñce per se sepatim
Attach est per Pleg J. D. & S. S.

Exitus eorum cujuslibet & s.

Domina Recogñ de Novo appoie juxta
formam Statuti M. B. C. D. E. &c.

Quilibet Recogñ pñce de novo appoie
Attach est seperatim per Pleg J. D. S. S.
Vide Dalt. Offic. Vic. 205. & Libr. Intr. f. 81. b.

Also in an Affize the Sheriff may Retorn
Mandabi Ballibo Libertatis qui nullum
dedit responsum &c. Lib. Intr. 59 & 76.

The Sheriff retorn'd, That the Bailiff of M.
Attach est, and said not that M. non est inven-
tus, and it was held good; but where he Re-
torns, that the Defendant Nihil habet, he
must say, Qd non habet ballibos nec balli-
bum nec est inventus in eadem, &c. 26 Aff.
p. 33. Br. Ret. Brev. 68. Firz. Ret. 39.

The Sheriff retorn'd, That the Bailiff of the
Defendant was attached by Pledges, and did
not Retorn, that the Defendant non est inventus,
and allow'd to be good, and therefore it seems
that the Attachment must be by Pledges. Dalt.
205. 28 Affs. p. 40. Br. Ret. 70.

There

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But Rog



There was a Retorn thus.

Pledges C. D. Infradominat. I. B. C.
D. whereas it ought to be C. D. Infrano-
minat Attach est per Pleg. C. D.
and though 3 or 4 Presidents were shewn
to be in Retorn, yet it is not shewn for the
other way. In the 10th of Ed. 3. Br. Ret. 93
vide Comp. Sher. 142.

Attaint, Retorn de Sumptions.

Pleg' de proa 2 J. Den.
Sund infradominat I. B. C. D.

(the Defendant) Spec.

Reis Executonis in his brevis patet in
quodam Pannello (or in quibusdam Sche-
dul) huic brevi annex.

Nomina viginti & quatuor mille.

It. de P. At C. B. de A. At. Et. to the
number of 24 Kts. Esq; or Gens each having
20 Marks per ann. at the least, and one of them
at the least must be a Kt. Co. Litt. 156. Fitz.

Attaint. 69.
Quilibet Jur p'dict per se separatum At-
tach est per Pleg C. & D. Sund Jur p'rei
H. H. S. S.

Nomina Jur prime Inquisition in brevi
huic Pannello annex Spec.

C. M. Gen H. C. Gen, &c. naming all the
12 who are to be directed or summoned to ap-
pear, and the Process against them is Denire
facias & Distringas.

Pleg' p'dict Jur prime Inquisito. 2 C. D.

uis G. F.

L

Aliter.

The Pan-
nel.

The Petry
Jury.

Pleg de ...
Bund Intrinsecas
Spannace Bund
R. J. D. E. H.
patet in quodam
Nomina 24
f. Def. A. B. C. D. Et. to the number
of 24.

**Sunt qui p'dice & eorum cujlibet J. D.
R. J.**

Manucape Sund Idice & eorum utrinque
J. B. S. C. C. D. C. G.

Domina Jur prime Inquisitionis unde in
 brevi huic Schedul annex sit mentio A. B.
 C. D. &c. to the number of 12.

**Sunt Jur prime Inquisitionis & eorum
cujuslibet J. D. S. S. Vide Wilk. 126, 127.**

The Grand Jury are to be warn'd the first day. *Finch. 485.*

And the Pety Jury must be all present when the Grand Jury is taken. *Ibid.*

And the Sheriff must Summon the Tenant to appear at the Tryal. *Fitz. 108. See Dalt. 206.* where you may Read more concerning the nature of this Return.

Attachment.

Upon this Writ, the Sheriff may Return,
That the Defendant is Attached *per Plures*
or is attached by his Goods. *Dalt.* 208.

Infra-

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Infranominae J. D. Attachiatus **J. B. Attachiatus** **J. D. Attachiatus** **J. B. Attachiatus**
est per Pleg *est per Pleg* *est per Pleg* *est per Pleg*
 But he may not Return, **Plegij**, **J. B.**
Infranominae J. B. **J. B.**

For this seems to be no good Return for want of the word **Attachiatus**.

And it is said to be good, if the Sheriff shall but warn the Tenant or Defendant to appear and answer, and shall return Garnishment thereon. *Br. Attach. 9.*

But if the Defendant be a Beneficed Clerk he must be warn'd by his Person, or by his Land (if he hath any Lay Fee) *may not be Attached by his Goods. Fitz. 23. and Finch 135.*

Where the Sheriff Attacheth one by Goods, he must in his Return set down the certainty of the Goods in Specie, as also the value of the Goods, *viz.*

Infranominae J. B. Attachiat est per unum bovem (or equum, &c. *pretij 40 s.* Dalton 208. 559. because the Cattel are forfeited to the Queen, if the Defendant makes default. *Kirch. 257. b.*

Aliter.

Infranominae J. B. & J. D. Attach sunt & uterq; eorum per se Attach est videlicet *precij 10 s.* Et *precij 30 s.*

And where the Attachiamment is made of a living thing or things, 'tis said the word must be *precij*, and so of a dead thing in the singular number, but if it be of dead things in the plural number, then it must be *ad Valentiam*, and not *precij*.

L 2

Also

Nihil.

Also the Sheriff may Return *qd Infranominae J. D. Nihil habet in balliva mea per quod Attachiari potest*, but then he must add further *nec est inventus in eadem*. Fitz. Ret. 57. Dalt. 208. Thes. Brev. 168.

Attachment upon Appeal.

Non est inventus, is a good Return in an Attachment upon an Appeal of Death or Robbery.

Also the Sheriff may for delay Return, that the Plaintiff *non invenit pleg' de p's, &c.*

As — *J. f. que fuit uxor D. f. non invenit mihi plegios de p's ideo ad Executionem istius brevis nihil p me Accum est*, or he may execute the Writ without any Pledges, &c. Dalt. 209. Kitch. 257. b.

In a *Venire fac'* upon an Indictment, Presentment, or Information, *Nihil p quod, &c.*

Infranominae A. B. nihil habet in balliva mea per quod Attachiari potest.

R. S. Ar. Vic.

Or thus. — *Infranominae A. B. Attach est per pleg'. J. D. & A. A.*

R. S. Ar. Vic.

Also upon a *Capias de Appell de Morte Tarde* was holden a good Return, and the Sheriff returned, *qd breve adeo tarde sibi venit, qd illud exequi non potuit pter brevitatem temporis*. 8 H. 4. 21. Br. 34.

Attach.

Attach. Camerario Com. Pal. Cestr.

Respond. D. Com. Dect. ac Camerari Com.
Valentini Cestr.

Dicitur istius brevis mihi directe p aliud
breve sigill Com. Pal. pice debi in mandas
Coron Com. Cestr. videlt D. A. & J. R. qd, &c.
qui quidem Coronator mihi respond qd reper
corpora infranominat C. B. &c. quorū cor
pora parat hent ad diem & locum infran
tenc secund formam brevis illius Et qd ce
teri Def. infranominat non sunt habene infra
Com. Cive Cestr. post receptum brevis ill.
Brev. Judic. fo. 3.

per ipsum Camerar'.

Ballivo Mandavi. *Vide postea.*

Mandavi Ballivo sur Cap. &c postea.

Tir. Mandavi Ballivo.

Bill Midd', &c.

Non est invent' sur ceo

Infranominat D. G. non est invent in
Balliva mea.

Respon. A. B. Mil. & C. D. Mil. Vic.
Thes. Brev. 36. Wilk. on Greenwood 222.

Aliter.

Infranominat A. B. C. D. & E. F. non
sunt invent in Balliva mea nec eorū aliquis
est invent in eadem.

R. S. Ar. Vic.

Wilk. on Greenwood. Ibid.

L 3

Cepi.

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Cepi.

Virtute huius hys Cepi corpus infranominat A. B. cuius corpus coram Dno Rege ad diem & locum infra content parat habeo put interius mihi precipit. Wilk. on Greenwood, ibid.

Sur Latitat secundum Offic. Brev.

Virtute, &c. Cepi corpus infranominat A. B. cuius quidem corpus coram Dno Rege infrascripte ad diem & locum infracontent parat habeo put interius mihi precipitur. Similiter. Kitch. 258. a.

Cepi & non est invent.

Virtute huius hys Cepi corp' infranominat A. B. cui' corp' coram Justic inframentonat ad diem & locum infracontente parat habeo put interius mihi precipitur Et ulterius certifico eisdem Justic qd ceteri Def. non sunt invene in balliva mea.

R. S. Ar. Vic.

Wilk. on Greenwood, Ibid, vide postea.

Retorn. de Cap. alias & pluries ad respondend.

These Writs may be retorn'd divers ways, as the Case shall require. Vide Dalt. 211. &c.

Infranominat A. B. non est invene in balliva mea.

Non est inventus.

Or——Infranominat A. B. & C. D. nec postea, non est invene in balliva mea.

Or

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Or — **Infranominae A. B. & C. D. non** Banc. Reg.
sunt inveni. &c.

Or — **Infranominae A. B. & ceteri**
Def. infranominae non sunt inveni in balli-
ha mea. Vide Dalc. 211. Offici Brev. 196.
Will. Lat. 159. Kitch. 258.

And if the Party be taken, or found, then thus.

Virute istius hiebis mihi daret Cepi cor-
pus infranominae A. B. cuius corpus coram
Iustic infrascript ad diem & locum infracon-
tent parat habeo put interius mihi precipit.

But wheresoever the Sheriff returneth Cepi
corpus, if the Sheriff shall not have the
Prisoner, so as he appeareth at the Day
the Sheriff shall be amerced. **1 R. 2. 112.**
Ref. 14. vide Kitch. 257.

Aliter.

Virute istius hiebis Cepi A. B. infra-
scribe cuius corpus coram Iustic infrascripte
ad diem & locum interius content parat ha-
beo put hiebe istud exigit & requirit, &c.

Aliter.

Infrascript A. B. capti est per corpus suu
cuius corpus ad diem, &c. habeo parat put
interius mihi precipit.

Aliter.

Infrascript J. K. captus est p corpus suu
cuius corpus ad diem & locum infracontent
paratum habeo prout hiebe istud exigit &
requirit.

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When

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his Body before, and must have the Body *Banc. Reg.*
in Court at the Day.

Aliter & deliberat' pretextu alterius brevis.

Virgine. Et. Capi corpus A. B. infranomi-
nat, Et. Et ipso ad Gaolam, Et.

Porteas, viz. tali die & anno ptertu cu-
jusdam alterius brevis vbi Dni Regis mihi
direct' cujus transcript' vobis mitto huic
brevis annex' p'ia A. B. a Prisons illi deli-
bati feci Et ideo corpus p'dict A. B. coram
Iustis infrascript' ad diem & locum infra-
content' habere non possum p'ut interius mi-
hi p'cipit.

This is doubted to be a good Retorn, for af-
ter he was arrested he ought to be deliver-
ed by the Court.

Aliter fur Superfedeas deliberat.

Virgute istius brevis vobis certifico Quod
postq'm istud brebe mihi delibat' fuit ad ca-
piens R. C. & alios Def. In ista brebe spec-
idem R. C. alij infranominat' p'tuler' mihi
brebe Dni Regis de Superfedeas quod huic brebi
est consut Virgute cujus Superfedeas omnino.

Aliter.

Infranominat' R. C. deliberabit mihi bre-
be Dni Regis de Superfedeas quod quidem brebe
huic brebi est annex' Ideo ulterius ad Exe-
cutionem istius nil per me actum est.

These are held good Retorns, if the *Super-*
fedeas was delivered before the Party ar-
rested, but if afterwards, its said he must
be delivered by the Court, *Crompr. 145. Fitz.*
Ret. 16, vide Dalt. 212, & Offic. Brev. 215.

Retorn

Retorn^s Ubicunque.

**Virtute, &c. cepi corp^s J. C. infran^oiae
cujus corp^s coram D^{no} Rege ubicunque tunc
fuit in Angl^a ad diem & locum infracontene
parat habeo put interius mihi deipite.**

Languidus Retorn.

**Virtute istius b^{ri}s mihi direct^e cepi corp^s
infran^oiae J. B. qui quidem J. est in per-
sona Dⁿⁱ Regis de C. adeo languidus quod
ob metum mortis ipm coram Justic infra-
scripe ad diem & locum infracontene habere
non possum put interius mihi deipitur.**

**Or — Cujus corp^s adeo languis debet &
infirmum in Prison sub custod mea remanet
qd ob mee mo^re ejusdem J. B. corp^s ejus co-
ram Justic, &c.**

Aliter.

**Qui quidem J. tantum vexat infirmita-
tib⁹ qd ipm sine magno mortis piclo ppter
corporis sui debilitatem coram Justic infra-
scripe ad diem & locum infracontene here non
possum put interius, &c.**

This is a good Retorn, if it be true that the party be sick indeed: Yet a *Duces tecum* may be awarded to bring in the Prisoner, or else the Defendant, if he will appear, shall be received. *Libr. Intr.* 400. *Br.* 100, 102, &c. *Dalt.* 211, 213. *Kitch.* 258. *Wilk.* on G. 223.

That the Defendant was rescued, *Vide postea*, tit. *Rescuss.*

That the party is dead. This is made a *Quare*. *Br.* 125. But it is allowed a good Retorn upon

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upon a *Corpus cum causa*, *Præcipe quod reddat*, and *Banc. Reg.*
Scire facias. Bro. Ret. 125.

Tarde upon a *Capias ad respond.* is held no good Return; but the Sheriff shall be amerced therefore, *Vide Dals. 210, 211.*

Tarde.

Illud hic adeo Tarde mihi delibac fuit
Ad ppter temporis hæbitatem executionem in-
de facere non potui put interius mihi præpi-
tur. Wilk. on G. 227.

Mandavi Ballivo retorn' sur Cap', &c.

R. S. infranctiæ non est inveni in ballia mea, Et quoad capiend' J. F. infranctæ man-
davi R. S. Ballivo Libtæ de S. qui plenu
retorn' het omniū bñum & execut eorūdem
cui executio istius bñis totalit' pñet facienti
extra quam Libtæ nulla executio istius bñis
inde p me fieri potest qui quidd' ballius mihi
sic respond. Ad cepit corp' p' J. F. cujus
corpus p' R. S. coram Justic Dñd Regis
infrascripte ad diem & locum infracentent pa-
rat habebit.

Or thus: — *Qui quidem Ballius nullum*
mihi dedit respons' (or the like, as the Retorn
is.) Libr. Intr. 109. Dalt. 210, 211. Wilk. 133.
Kitch. 257. b. 258. a. Wilk on G. 223.

Aliter Ballivo Libertatis.

R. Virtute istius hævibis mihi direct man-
davi Ballio Libtatis C. Dñd Episcopi Win-
ton' ad faciend' & arrestand' infranctiæ J. S.
in forma infrascripte qui plenum habet re-
torn' omnium Brevium & Preceptor & Cre-
cutorū

Banc. Reg.

cuſon eorūdem infra Libertatem pō. Ac qđ
 nulla executio iſtius Brevis p me fieri poteſt
 infra eandem Libertatem qui quidem Ballivus
 nullum mihi adtunc dedit reſponſ. Offic.
 Brev. 199.

Vel ſic: — ſi. Qui mihi reſpondit qđ in-
 franominat A. B. non eſt invene in Balli-
 va ſua.

Vel ſic: — ſi. Quod cepit corp⁹ in fra-
 nominat A. B. cujus quidem corp⁹ coram. &c.
 ad diem & locum intracontene parat habet
 ad faciendū ea omnia que iſtud bre in ſe exigit
 & requirit. Offic. Brev. 216, 217.

Retorn' Brevis de Cap' per non eſt inven'.

ſi. Infranoīat A. B. non eſt inventus in
 Balliva mea.

A. B. Ar' Vic'.

Si ſint tres Def. in Brevi, tunc ſic:

ſi. A. B. & ceteri Defendend infranominat
 non ſunt inventi in balliva mea.

Retorn' Brevis de Capias ſi Laicus, quod Def.
 nullum habet Laicum feod'.

ſi. Virtute iſtius brevis mihi directe Ju-
 ſic inſcripſe certiſico qđ infranominat
 A. B. Clericus eſt benefice in Episcopae
 Cantuar nult habens Laicum feod in ballia
 mea ubi poteſt ſum.

A. B. Ar' Vic'.

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Banc Reg.

Capias Satisfac.

Retorn' Cepi sur Ca' Sa'.

Virtute istius brevis mihi direct cepi corp in-
frandiat W. G. cuius quidem corp' cor Ju-
stie infrascript ad locum infracontent ad sa-
tisfaciend infrandiat R. G. de denat infra-
scribe parat habeo p'nt interius mihi p'cipie.
Offic. Brev. 202, 219. Vid. postea.

R. P. Ar' Vic'.

Special Retorn' de Ca' Sa' ubi Def. capt' est
per un' Vic', & (in ejus exit' ab Officio)
deliberat' successor, qui virtute Brevis de
Superfed' permisit ipsum ire ad largum.

ff. Ego R. P. Armig Vic Com S. infra-
scribe Dño Regi ad diem & locum in brei huic
Schedule annexat content certifico. Qu ante
adventum ejusdem brevis A. B. in dño brei
nominae capt fuit infra Com ps & in Prison
dñi Dñi Regis Castri sui W. in Com p'dice
sub salva custodia ejusdem nup Vic detene
virtute cujusdam breis dñi Dñi Regis de ca-
piend & dem A. gerend teste apud Westm est
die año (Et.) & retornabil eozam Justie dñi
Dñi Regis apud Westm a die Sancti. Et.
tunc pr' sequen' ad satisfaciend C. D. Gen
tam de quodam debito quadraginta lib' 24 qm
de triginta solid' p dampnis unde idem A.
cozam p'fac Justie apud Westm convict fuit
cujus quidem A. corp' sic capt & in Prisona
p' sub custodia dice nup Vic ea o'zone existen
detene Ego p'fac R. P. Armig nunc Vic Com
ps recepi de ps nup Vic in ejus exitu ab Of-
ficio

Banc' Reg.

W ficio suo & ejus corp^o p me plac nup die sic
recepte in Prison p^o salbo custod lecti quousq
postea scilicet die & anno, &c. p^o recepi quoddam
breve dⁱ Dⁿⁱ Regis de Superledeas mihi di-
recte, cujus tenor sequitur in hec verba:
Carolus, &c. Virtute cujus quidem brevis de
Superledeas dem^o M. ad longum ire permisi d^o
brevis de Captiend ad satisfaciend in aliquo
non obstante put p dem^o brevis de Superledeas
mihi inde p^oripitur Ne p eo qd non fuit aliqua
alia causa captoris sive detentoris p^odict^o M.
in Prisona p^odict^o coram plac D^{no} Rege ad
diem & locum in dicto brevis huic Schedule
annexo content^o parat^o here non possum ponit
idem brevis in se exigit & requirit.

R. P. Ar^o Vic^o.

Offic. Brev. 201.

Aliter in Ca^o Sa^o.

Virtute istius brevis mihi direct^o cepi corp^o
infran^oiat M. B. cujus corp^o ab diem & lo-
cum infracontene parat^o habeo. Plo. 441.
Dalt. 213.

Aliter.

Virtute istius brevis mihi direct^o cepi corp^o
infran^oiat M. B. cujus quidam corp^o coram
Justic^o infrascripte (or coram D^{na} Regina)
ad diem & locum infracontene parat^o habeo,
ad satisfaciend infran^oiat C. D. de deho &
dampnis infrasp^o put interius mihi p^oripit.
Dalt. ibid. Wilk. 136.

A. B. Ar^o Vic^o.

It is said, That where the Sheriff returneth
Cepi corpus upon a Ca^o sa^o, he must be sure to
have the Body in Court at the day, otherwise
he is chargeable for the whole Debt. Br
Ret. 107.

Yet

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Banc Reg.

Yet if upon a *Capias ad satisfaciend'*, if the Execution be duly done by the Sheriff, and that the Plaintiff hath his demand, though the Sheriff retorneth not this Writ, it is of no danger to him. *Dalt.* 213.

Upon a *Ca' sa'*, *Non est inventus* is a good Retorn. *Lib. Intr.* 109.

And so is *Nihil.* *Ibid.*

Vide *Non est inventus* sur *Ca' sa'*, *Thef. Brev.* 123, 274.

It's said, If a man be in Prison for Felony, and be attainted, and after a *Ca' sa'*, &c. cometh to the Sheriff against the Prisoner, he may retorn that the party is attainted, and that therefore he cannot take him in Execution. —

Or, The Sheriff, if he will, may serve the Execution; but then he must be sure to keep the Prisoner, notwithstanding any Pardon of the Felony. *Dyer* 179. *Dalt.* 214. Vide *Compleat Sheriff* 212. and *Wilk.* on G. 199, 200, &c.

See *Dalt. ibid.* where the Defendant was taken by one Writ of Privilege, and afterwards a *Ca' sa'* issued against him upon another Writ of Privilege, retornable after the first. The Sheriff at the first Retorn, brought the party, and return'd both the Writs; but that he did not intend to retorn the Execution before the day, making special mention of the first; and this was said to be well done, and politickly, to save himself harmless from an Escape, &c. And at the prayer of the Plaintiff the Sheriff was discharged, and the Defendant committed in Execution to the Fleet. *Dyer* 192.

Cap'

Cap. Utl.

Non est inventus is a good Retorn.

Infractioe J. S. non est invent in ballia mea Resid execuc istius hzebis patet in quadam Inquisitioe huic hzebi anner.

Cepi fur Utl.

Virtute, &c. cepi cor^o N. B. infractioe cujus cor^o coram Justic infrascripte ad diem & locum infracotent parat habeo put interius mihi pcepit — Resid vero Execuc istius hzebis patet in quadam Inquisitione huic hzebi anner.

Note, This Inquisition or Enquiry must be what Lands, Goods or Chattels the party outlawed had the day of the Outlawry, or at any time after.

An Inquisition, Quod nulla bona.

Inquisitio indentae cape apud, &c. Qui dicunt sup sacm suu. Ad J. S. in dco h^o nōiat nulla bona neq catalla terre sive tenite huit aut tenuit in Com p^o die Jovis p^o post festum Scd B. a^ono rnd Dñe Añe nunc tertio in dco h^o spec^o nec unq^om postea que in man^o dice Dom^o Ric^o capi ac seisi^ori possunt ad notie Jur p^o In cujus rei testimoniu^o tam sigill^o Dic p^o qm sigill^o Jur p^o huic Inquisitione indene sunt appensa Dat die a^ono & loco supdict. Vide Dalt. 214. And see before, an Inquisition upon an Outlawry in Scaccario, and Offic. Brev. 205.

And

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And upon a *Cap' Uel'*, if the party be found, *Banc. Reg.*
the Sheriff shall take and put him in Prison with-
out Bail or Mainprize, for that he had the Law
in contempt. *Idem Dalc.*

Also upon the *Cap' Uel'* the Sheriff may seize
and keep his Goods. *Id. 215.*

Retorn concerning the Old Sheriff upon a
Cap' Uel'.

Ante aduentu istius brevis J. C. Qui nup
die Com C. infrascripte C. D. cepit & in Pri-
sona Dni Regis penes se detinuit virtute
cujusdam brevis Dni Regis dea nup die de-
rece quem quidem C. D. deus nup die una-
to deo h'd ei direce mihi J. D. Qui nunc die
Com p'd in ejus erit ab Officio suo delibavit
cujus quidem corp' ac h'd deo nup die direct
Ego plac nunc die coram Justic infrascripte
ad diem & locum infrascripte parat habeo
ad faciend & recipiend quod dem breve in se
exigit & requirit. *Wilk. 123. Dalc. 308.*

Aliter.

Quid h'd put supius indosae simulcum
Inquisit huc h'd aser' 6^o die M. asse-
runt Dni Regis, &c. libae fuit mihi A. B.
De die C. infrascripte p J. C. Qui nup
die Com p'd pdecessor meo in erit ab
Officio suo.

*Tis said this last Retorn ought to be written
in Roman Letters. Vid. Dalc. 308.*

& Greenw. 201, &c.

Upon a special Uel' vers. Clericum.

Infrascripte A. B. C. licus in deo h'd noiae
est beneficiar ad Ecciam de M. in Com meo
infra Dioces. Epd nullum h'ens Laicum feod
nec aliqua bona seu catalla tempozaliaque in

M

manus

Banc. Reg. *manus Dni Regis capi aut seisi possunt nec est in eadem.*

Offic. Brev. 221.

T. R. Mill' Vic'

Also it is said, That upon a *Cap' Utl'* against an Infant of the age of fourteen years, the Sheriff may imprison him, and seize his Goods as forfeit. *Dalt. 215.*

Other Retorns.

Upon a *Cap' Utl'* *Nisi* is said to be a good Retorn. *Id. ibid. 109 b.*

That the Coroners are absent from the County. *Id. ibid. 114, 115.*

That no Coroner was there, except one, who refused to pronounce the Outlawry.

Upon the Exigent, That there were no more Counties. *Id. 116.*

See after
for these,
tit. Exi-
gent.

Quarto exactus, & non habuit tempus plac. Ibid.

Superfedeas per un' & quarto exact' against the other, and that there are not more Counties. Id. 116.

Superfedeas against the one, and Outlawry against the other. Ibid.

And he may be said to be taken and detained many ways; As,

Pro 101. debet & ipm recuperat in est Cur
Del cap' est p Precepto Dni Regis.

Del cap' est sup Recogn' fact in Cancellar.

Del cap' est sup Appell p morte hois vel de roboria, &c. Id. Dalt. ut supra.

Detain'd for Trespass, or Felony, Excommunication, Money counterfeiting, Murder, Treason, Outlawry, &c. See for these, *Kitch. 259, 260.*

Also

Also *Rescous* it's said may be returned, especially that he was rescued *per ignatos*, because in such case it doth not appear the Sheriff can have any Writ of *Rescous*. Banc' Reg.

But if upon *Rescous* it appear otherwise, it is said he shall be amerced, for he might have taken the *Posse Comitatus* to have aided him therein; and also in such case a Writ of *Rescous* lies against the Offenders. *Fitz. Retorn.* 110. *Vide Dalt.* 217. See afterwards, tit. *Rescous*.

It is said a *Rescous* to a Sheriff's Servant, Bailiff Errant, or other Officer, is a *Rescous* to the Sheriff himself; so that he may return it in the name of his Bailiff. *Br. Ret.* 66. *Dy. Eliz.* 241. *Dalt.* 218.

Cap' Excommunicat'.

Vide ante in Canc', tit. Proclamation.

Upon a *Non est inventus*, a *Capias* with a Proclamation; and if the party yield not his Person within six days, upon the Sheriff's Return, the Offender forfeits 10 l. and so a *Capias Infinite* shall go out with like Proclamation, and a Forfeiture of 20 l. for every other Default, to be presently estreated, &c. *St. 5 Eliz.* 23.

If the Offender yield his Body, the Sheriff is presently to commit him to Prison, there to remain without Bail. *Ibid.*

And if the Sheriff return he hath not yielded his Body upon the Proclamation, where indeed he hath yielded, he shall forfeit to the party grieved 40 l. &c.

The Sheriff need not bring the Body into the *Queens-Bench* upon the Return of the *Excommunicat' Capiend'*, but only return the Writ thi-

Banc. Reg. ther, with a Declaration in brief how he hath
 served and executed the same. *Ibid.* & vide
Dalt. 217, 218.

Cap' ad Valenciam.

Upon this Writ, the Sheriff is to summon the Defendant (*scil.* the Vouchee) to be before the Justices at the day mentioned in the Writ, &c. and he is to return the name of the Summoners.

Also the Sheriff is to seize the Lands of the Vouchee (*scil.* to such a proportion as the Writ mentioneth) into the Queens hands, by the View and Valuation of lawful men of that County, and is to return the certainty of the Lands, and the day of such his Seizure, together with the Names of those Viewers, and of the Summoners, under his Seal, as appears by the Writ in the *Register*, 12.

And this Seizure must be of such Lands and Tenements of the Defendant (or Vouchee) as he hath in Fee-simple by purchase, or as shall descend to him in Fee-simple. *Ibid.*

It is also noted, That upon this Writ against divers, the Sheriff returned that one of them had nothing, and that he had taken of the other according to the proportion: But for that the Sheriff cannot make apportion without a Warrant, he was amerced. *Fitz. Ret.* 93. *Dalt.* 218. Vide postea, *Grand Cape & Petit Cape.* Vide *Greenw.* 201, &c. Cap' ad Valenc' agard, & Vic' return, *Qu nullas habet terras*, *Rast.* Entr. 377. Vide *here fac seinam ad valenc.* *Rast.* Entr. 687.

Capias

Capias in Withernam.

Brev. de Capias in Withernam.

ff. Virtute istius bñs mihi direce primo die Augusti año infrascripte cepi in Withernam centū obēs de agñis infranōiae R. R. ad balenciam agñorū prius cape & eos infranōiae J. B. delibari feci detinens in forma infrascripte put interius mihi p̄cipitur.

Vide Offic. Brev. 213. Vide postea, *Replevin*. Wilk. 141.

Capias in Withernam, *ubi nichil.*

ff. Justie infrascripte ad diem & locum infrascripte certifico qd infranōiae A. B. nullū habet agñia in balliva mea ad balenc aver infrascripte prius cape que in Withernam cape possint Ideo agñia inframentionae infranominat C. D. delibare non possum put interius mihi p̄cipitur.

Et ulterius certifico qd p̄dctus A. B. nihil habet in balliva mea per quod attach potest. Off. Brev. 216.

Pleg de p̄s J. D. R. R.

Capias post Cap' in Withernam, *ubi Vic' return' Breve Execut'.*

ff. Virtute, &c. de averiis infranominat A. B. ad balenciam averiorum infrascripte prius cape in Withernam cepi ac ea infranominat

Banc. Reg. nominat C. D. delibari feci put interius mihi precipitur.

Offic. Brev. 215, 235.

Et qd pñ A. B. attach est p } J. D.
 A. B. Ar' Vic'

Note, That by our Common-Law, when any one taketh or driveth a Distress to a Hold, or out of the County, so that the Sheriff cannot upon a Replevin make delivery thereof to the party distrained; in such case the Writ of *Witbernam* (which it's said signifies *altera, sive secunda Pignoris Captio*) is directed to the Sheriff for the taking of as many of his Beasts that did thus distrain and drive, &c. or as much Goods of his, into his keeping, till that he hath made Deliverance of his first Distress. *Lamb. tit. eod. Cowel's Int. verb. eod. West. prim. cap. 20. Britt. cap. 27. Fitz. N. B. fo. 73. Reg. Orig. 82, &c.*

Averia Elongata.

Ante advenum istius hñs mihi direce averia inframentonae elongae fuer p infrauominat C. R. ad loca mihi ignota per quod averia ill infranotiae D. retoznd non potui Et pñdice C. non est invent in balliba mea.

Vide *Greenw. 231. & vide postea.*

T. R. Ar' Vic'

Ubi

Ubi Averia Capt. mortua sunt.

Virtute istius brevis mihi direct' Cepi in
Wittherham apud B. in Com. p'dia' infra-
script' sex vacas de averia infranominat' J.
S. & duas vacas de averia J. W. que qui-
dem averia abinde fugare & abducere feci in
quodam patto apud B. in Com. p'dia' salvo
& secure ibidem custodiendi secundum exigentia
huius brevis ubi averia illa moriebant' Et
p'dia' J. S. & J. W. nulla habent alia ave-
ria in balliva mea ad p'sens que ullo mo-
do, &c. Offic. Brev. 214.

Pars Averiorum mortua resid. Retorn.

Iustic' infrascript' certifico qd ante adven-
tum istius brevis mihi direct' una vacca a-
verior' infrascripte mortua est ita qd vac-
cam ill' infranominat' B. C. delibare non
potui sed virtute istius brevis resid. averior'
infrascripte infranominat' C. D. Retorn' feci
put interius mihi p'scipit Offic. Brev. 214, 235.

Averia elongat. infra Quinq; Port.

Dño Regi infrascript' ad diem & locum in-
fracontene certifico, qd ante adven' istius
brevis mihi direct' Averia infrascripte elon-
gat fuit p' infranomia' J. C. ad Paroch' S'ci
J. B. in insula C. in Com. meo, Que qui-
dem Paroch' est infra Quinq; Port' ubi breve
Dñi Regis non currit, Et ea de Causa A-
veria ill' infrascripte S. S. retornare facere
non potui. Offic. Brev. 216, 218.

Parcell. aver' retorn' & resid' songat'.

Virtute istius hzebis mihi directe scilicet tali die & anno infrascripte retornari feci infra nominat R. D. quatuor vacas put istud hzebe in se exigit & requirit. Et ulterius Justie infrascripte certifico quod resid' averioꝝ infrascripte elongat sunt per p̄fac D. C. ac infrascripte J. J. & al' ad loca mihi ignoe ob quod p̄dicte resid' averioꝝ p̄dicte p̄fac R. D. ad p̄sens retornari facere non possum. Brev. Judic. 266. Offic. Brev. 235.

Sur secund' deliber' ubi null' averia retorn', &c.
Et al' capt' in Withernam.

Justie infrascripte certifico qd nulla averia infrascripte W. R. unde infra fit mentio J. B. retorn' feci per quod averia ill' eidem W. R. deliberare potui juxta formam hujus hzebis Sed ulterius dice Justie certifico qd virtute hzebis dicti Dñi Regis nunc huic hzebi annex' & mihi direct' in Withernam cepi duas equas de averiis ipsius W. R. ad valenc' averioꝝ R. D. per infranominat C. W. cape que deliberari feci C. W. salvo & securi custodiend' quousq' p̄dic' W. R. alia averia sua per p̄dic' C. W. p̄ius cape deliberare voluit juxta formam ejusdem hzebis, Et quoad ulterius Execuc istius hzebis per me nihil actum est. Offic. Brev. 214. vide Kitch. 262. b. 263. a.

Retorn.

Retorn. habend. ubi recepit breve de sc'da
deliberac'.

Post receptionem istius brevis & ante Ex-
ecutionem ejusdem recepi quoddam aliud bre-
ve dñi Dñi Regis de secunda deliberatione
mihi direct' quod huic brevi est annex' p quod
Executio istius brevis facere non potui
put interius mihi precipit.

Secunda deliberac. präd. brevi de Retorn.
habend. annex.

Pleg' de pñ J. D. R. D.

Virtute, &c. deliberari feci infranominat
A. B. averia infrascripe put interius mihi
precipit.

J. Denn.

Infranominat C. D. Attach est p R. Fenn.
Vic'.

Vide Offic. Brev. 235. vide postea Replev'.

Retorn. brevis de secunda deliberac'.

Pleg' de pñ & de averiis retornand' H. D.
R. F. Virtute istius brevis averia infrascripe
infranominat J. D. deliberari feci put interi-
us mihi precipit, Et infranominat A. & B.
Attach sunt p Pleg' J. D. R. D. &c.

A. B. Ar. Vic'.

Brev. Judic. 272.

Retorn. habend. Et averia elongat'.

Ante advene istius brevis mihi direct' a-
veria infrascripe elongat' fuit per infrano-
minat

Banc. Reg. minae B. C. ad loca mihi incognita Ideo averia illi infranominat D. C. retornare facere non potui put interius mihi precipi.

Resid. Execuc. istius hzebis patet in quadam Inquisitione huic hzebi annex.

Vic.

Id. Offic. Brev. 235. vide Thes. Brev. 63. Wilk. 141.

Averia elongat. & Cepi corpus for Damages.

Ante adventum istius hzebis equa infra mentionat p infranominat G. H. elongat fuit ad loca mihi incognita ita qd equam pdict infrascript J. H. & H. retorn non potui sicut interius mihi precipi. Et ulterius inframentonate Justic. certifico qd virtute istius hzebis Cepi corpus infranominat G. H. cujus corpus coram dia Justic. ad diem & locum infracentent habeo put interius mihi precipi. Greenw. 231.

R. S. Ar. Vic.

Aliter secundum Dalton 294.

Virtute istius hzebis Cepi duas ollas ereas, duas patellas ereas, &c. de bonis & catallis J. H. in isto hzebi nominat in Withernam & ea W. B. infranominat delibari feci, hnd eidem W. B. quousq pdict J. B. catall pd' W. B. delibari put hzebe istud in se erigit & requirit, Et ulterius vob certifico qd pdict J. H. in isto hzebi nominat habet nulla alia bona seu catalla, que in Withernam capi possint, aut que Attach potest juxta tenorem hujus hzebis.

Aliter.

Aliter.

Virute, &c. Cepi in Withernam apud D. in Comd infrascript' 2 vaccas, &c. de aberiis infranominat' J. D. & duas vaccas de aberiis R. C. infranominat' ad valenc, &c. que quidem averia pdict' abinde fugere & duci feci in quendam locum apud B. in Comd pdict' salvo & secur' ibid' custodiend' secundum exigenc' istius hzebis, ubi averia pdict' incumbent, Et J. D. & B. C. nulla habent pluz sive alia averia ad presens in balliva mea que ullo modo in Withernam capere possum put interius mihi pcepit'. Idem. 295.

Aliter.

Virute istius hzebis cepi duas vaccas & duas bobiculas de aberiis infranominat' R. D. & duas vaccas & duas bobiculas de aberiis R. quas delibari feci J. C. infranominat' salvo & secure custodiend' quousq' alia averia infraspex ipsius J. C. prius capt' & ad loca mihi ignota transmissa delibare possum, put interius mihi pcepit'. Idem ibid. Kitch. 262, 263.

Aliter.

Infrascript' J. P. nulla habet averia in balliva mea que in Withernam capere possum, secundum exigenc' huius hzebis.

Aliter.

Infranominat' J. P. nulla habet bona, catalla nec averia in balliva mea que in Withernam capere possum secund' exigenc' huius hzebis, nec aliud habet in balliva mea per quod potest Attachiar, nec est invent' in eadem. Ibid.

Aliter.

The New Retorna Brevium.

Aliter.

Nulla sunt bona neq; catalla in ballia mea in franciis J. D. que in Withernam cape possum Et ideo placit J. D. manucaptus est per J. D. & R. R. Ibid.

Note, There is a Quære made of these two last Retorns, and the like, for if the Sheriff or Bailiff makes return, that the Party nulla habet bona, &c. if such return be made in the Queen's Bench or Common Pleas, the Plaintiff shall have a Capias against the Defendant, and so Process to the Outlary; but if the Withernam be awarded in the County Court, upon such return made by the Bailiff, the Plaintiff shall have alias & pluries ad infinitum; but no other remedy. Fitz. 74. c. d. Dyer 188, 189. Vide Br. 100.

Upon this Writ Sheriff may return a *Tarde*. *Fitz. Four. 34.*

And the Sheriff may either deliver the Beasts or Goods taken in *Withernam*, to the Plaintiff to keep, or may keep them himself, or may drive or send them to any place within his County to be safely kept *quousq; &c. Fitz. 73. Dyer 59. & 181. & Finch. 119.*

Also the Sheriff may return that he did not deliver the Catel to the Plaintiff, for that he was not in the Country, *Dalt. 295.*

And though the Replevin were of Pct: or Pans, &c. yet upon the *Withernam* the Sheriff may take any Cattel or other Goods. *Fitz. Withern. 9.*

Also its said the Sheriff may take Goods or Cattel to the double value, and of any kind or number, and of any value reasonable in his discretion, or by the estimation of Neighbors. *N. B. 45. Fitz. Withern. 7. 10. vide postea Replev. Carci.*

The New Retorna Brevium:

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Banc. Reg.

Cerciorari & Certificate.

In Error. Respons. f. n. Writ Capital Justie infranominat Recorū & proces recuperationis unde infra sit mento cum omnibus extangend coram Dño Rege ubicunq, &c. ad diem infracontene mitto in quodam Recorū huic brevi annex' put interius mihi p̄cipie, f. n. Vide Thes. Brev. 109. & Vide ante int. Process, Cur. Canc'

Vide Cerciorari sur Plaint levie, Count sur ceo, Et deliverance gage, &c. 1d. 1-6.

Vide Townsend's Table, 75 & 438. Tit. Cerciorari, & vide Cornwall's Tables 88. & 418. Tit. Cerciorari, & vide postea hic ad finem libri, Tit. Retorn. Epi'.

Cessavit per biennium, Retorn' inde.

Virtute, &c. Justie infrascripte certifico, qd 20 die Maij anno regni (&c.) Capi in manus Dñi Regis 2 Wels, &c. infrascripte per visum A. B. C. D. E. f. & G. H. p̄bort & legalium hominū de balliva mea put interius mihi p̄cipie, Vide Dalt. 218.

This Writ lies where a very Tenant is behind for the Rent of his Lands by two years together, and no sufficient distress may be found upon the Land, then the Lord may recover the Land, but if the Tenant come into Court before Judgment, and tender the Arrearages and Damages, and find Surety, that he shall cease no more in payment of the said Rent, then the Lord shall be compelled to take the Arrearages and Damages, and the Tenant,

*Danc' Reg' nant shall not lose the land. Vide Terms de la
Ley & verb. eund'.*

Clericus.

Ubi Clericus non habet Laicum feodum.
Vide ante upon a Special Utlagar' vers. Cleric'.

Aliter.

Wirtute istius hzebis mihi direct' Justic
infrascripte certifico **Ad infranominatus C.**
D. Clericus est beneficiatus in Episcopatu
Londond nullum habens Laicum feodum in
balliba mea ubi potest Sumd, nec est inventus
in eadem.

A. B. Ar. Vic'.

Dalt. 219. vide postea Retorn' de Distring'.

Note, That in a Scire fac. against a Chaplain
(or Clerk that is beneficed) upon a Recovery
in a Quar. Imp. the Sheriff ought not to Retorn
qd Clericus est beneficiatus nullum habens
laicum feodum, &c. for this its said is not to
be retorn'd, but where a *Distringas* or *Capias* in
Debt or Trespass goeth out; but in a *Scire*
fac' the Sheriff hath nothing to do, but only to
warn the Party by his Person: And yet if in
a *Scire fac'*, the Sheriff returns, **Ad est Cleri-**
cus beneficiatus nullum habens laicum feo-
dum, &c. **Et qd non est inventus, &c.** this is a
good retorn, for then he cannot be summoned,
if he can neither be found nor hath he Lay
Fee. *Fitz. 23. Dalt. 219.*

If the Sheriff returns, That the Parson ante
adventum hzebis or post receptionem hzebis,
or before the Retorn of this Writ, had reassigned

ed

ed his benefice, &c. *Et qd non habet nec ha-* Banc Reg?
buit bona neq catalla infra, &c. these seem to
 be good *Retornus*. 2 E. 4. fo. 1. Br. 94. & 2 H.
 7. fo. 10. Sed. 39. H. 6. Fitz. Ret. 30. contra.

In Trespass or Debt against a Clerk, *Nihil*
habet is a good Retorn, and in a *Fieri fac'* to
 have Execution of the Arrearages of an Annu-
 ity, the Sheriff ought to retorn *qd nihil habet*
post receptionem hrenis. Fitz. Ret. 30.

In a *Quid Juris Clamat*, its said, The
 Sheriff ought not to Retorn, *Quia Clericus est*
non habens laicum feodum, But he ought
 to distrain him upon the Land in Demand,
Id. Fitz. 59.

Also that in most Cases Clerks ought to be
 warn'd or summon'd by their Person, or if
 they have any Lay Fee, by their Land; but if
 the Officer cannot find him to Summon him by
 his person, nor that he hath Lay Fee where-
 upon to Summon him: Then the Sheriff may
 Retorn,

Quia est Clericus beneficiatus nullum bens
laicum feodum, &c. Nec est inventus, &c.

and that then the Plaintiff shall have a
 Writ to the Bishop, that he cause his
 Clerk to come, and the Bishop shall cause
 him to come by sequestration of the
 Church. *Id. Dalr. 219.*

Aliter qd. est Clericus Beneficiatus sur Fieri
fac', &c.

Infranominae C. I. Clericus est benefi-
ciatus in Diocesi Eboracensi nullum habens laicum
feodum in balliva mea unde inframentonae
20 s. fieri seu levare possint put, &c.

M. S. Mil. Vic?

Brev. Judic. 272. vide postea Extent.

Covenant.

The New Retorna Brevium.

Covenants

It is noted, That in a Writ of Covenant, no Writ of Attachment ought to be, because the Parties ought to appear personally in Court, *Registr. 165.*

Also in a Writ of Covenant whether it be to levy a Fine or otherwise, the Sheriff may return thus:

Pleg de Pro^o } J. Doe.
 } R. Roe.

Sumd infrascriptae } J. R.
J. S. (the Defend'.) } W. G.
Dalt. 220. Offic. Brev. 196. Wilk. 123.

But it is said in a Writ of Covenant to levy a Fine, *Nihil* seems to be no good Return, for that the Sheriff ought to Summon him in *Terra petita*, 10 H. 6. *Fitz. Ret. 12. Br. Ret. 122.*

But in other Writs of Covenant, *Nihil* is said to be a good return, *Fitz. Ret. 12.*

Also that in a Writ of Covenant the Sheriff may Summon the Defendant by his Person. *Br. Sum. 1.*

Also in this Writ, *Mandavi Ballivo Libertatis* may be returned, *Intr. 133. b.*

Or that *Clericus est, nullum habens laicum feodum, nec bona laica in balliva sua, unde aliquid fieri possunt*, *Ibid. 138. vide Dalt. Offic. Vic. 210.*

Debt.

The New Retorna Brevium.

177

Banc' Reg'

Debt.

Retorn of an Original in Debt.

Pleg' de P^{re} } J. Deim.
 } R. Fenn.

Sund infrascripte } J. S.
R. S. } R. G.

A. B. Ar. Vic'.

If the Defendant be insufficient then thus.

Pleg' de P^{re} R. S. J. M.

Infranominat A. B. nihil habet in balliva mea per quod Sund potest.

Or thus—Infranominat A. B. & C. D. (and if more than two & ceteri Def. infranominat) nihil habent nec eorū alter nihil habet in balliva mea per quod Sund possunt.

A. B. Ar. Vic'.

Dalt' 221. Offic. Vic. 196. Kitch. 257. a.

Yet nihil habent, is good without saying nec eorū alter. &c. and so nihil habet is a good retorn without saying nec habuit post receptionem brevis or nec habuit die quo, &c. for it shall be intended. 29 H. 6. Fitz. Ret. 30. vide Dalt. 221.

But in this Writ 'tis no good retorn; that the Defendant hath paid the Debt, 2 H. 7. fo. 8. Fitz. Ret. 34. Dalt. ibid.

N

O. her

Other Returns.

Attachiatus est per pleg' or per bona, &c. Intr. 207.

Clericus est beneficiatus, &c. Intr. 189.

Mandabi Ballivo. Ibid.

Cepi bona per parcelle que reman' p defale Emptor. Id. 164.

Nulla plura bona, &c. in balliva unde restituendum, &c. Ibid.

Nulla bona seu tere, &c. Ibid.

Non est inventus retorn' sur Capias, or Cepi corpus. Vide Dalt. 221.

Decies tantum.

This is a Writ that lieth, where a Juror in any Enquest taketh Money of the one part, or the other to give his Verdict, then he shall pay ten times as much as he hath received, and every one that will Sue may have an Action, and shall have the one half, and the Queen the other half. *Vide Terms de le Ley, & Cowel Interp. in verb. eisdem.*

Retorn inde.

Iustie infrascripte certifico, qd infrascriptae A. B. ad diem & locum infrascripte coram vobis parat habeo ad faciend' & recipiend' quod Cur Dñi Regis infrascripte de eo cond' secundum formam istius brevis. Vide Dalton. 222.

Detinue.

The New Retorna Brevium.

Banc. Reg.

Detinue.

In *Detinue* where it is awarded that the Plaintiff shall recover the thing demanded, he shall have a *Distringas ad deliberand, &c.* and the Sheriff may thereupon return *Issues*, or *Nihil* as the truth is. *Br. Chart. de Terr. 34. Lib. Insr. 212. a.*

But in a *Disfringas ad deliberand*, it seemeth to be no good return, that there are no such Goods. *Br.* 89.

The Sheriff in *Detinue* is to take Pledges *de Prof.* of the Plaintiff, and he must also Summon the Defendant to appear at the Day.

Upon a *Distingas ad deliberand.* a Writ to enquire of the value, the Sheriff is to inquire by a Jury, and to return what Damages, and Costs the Plaintiff hath sustain'd, and also what the true value of the Goods detained be, *Libr. Int.* 212. 215. 218. *Dalton* 222.

Also the Sheriff may return, *Mandavi Ballivo Libertatis, &c. qui nullum dedit responsum.* Li. Int. 125. c.

Also he } Non est inventus, nec aliquid
may return. } habet, &c. or
 } Nihil habet, &c. nec est inven-
 } tus.

Li. Int. 217, 218. Dalt. 222.

Retorn de Detinue sur Inquisition'.

Inquisito (Ec.) coram T. C. Ar. Vic. Com.
p'dice virtute h'ebis Dñe Regine eidem Vic.
directe & huic Inquisitō annex' per Sacrm
I. P. (Ec.) qui die sup. Sacrm suū Os p'dice
T. C. in dicto h'ebi nominat non delibera-
vit

Banc' Reg.

vit p. d. in hzevi p'dice nominat octo quar-
 teria hozdei in eodem hzevi specificat Ac qd
 eadem octo quarter hozdei valebant 8 l. iuxta
 verum valorem ejusdem Ac etiam qd p'dice
 quer sustinuit dampna octone detentor p'dice
 octo quarter hozdei ultra mīā, 20 s. & p mīā,
 10 s. In cujus, &c. Brev. Judic. 271.

Devastavit.

It is observed, that in an Action of Debt
 against Executors or Administrators, if it shall
 appear that they have paid Legacies before
 Debts, or shall pay Debts upon simple Con-
 tracts, before Debts upon Specialties shall be
 discharged, or shall pay Debts before they be
 due, &c. these are a devastating by the Execu-
 tors, &c. and thereupon Judgment shall be gi-
 ven against the Executors, &c. that the Plain-
 tiff shall recover against them of the Goods of
 the deceased, and if there be not sufficient of
 the Testators Goods left; &c. then Execution
 shall be *de bonis propriis*, upon a *Scire fac'* against
 the Executors, &c. Br. Exec. 71, 81. Dalr. 222.
 5 Co. 28. b. Vaughan 94, 95. Cro. Eliz. 734.

So if the Executors shall plead *ne unques Exe-*
cutors, &c. and that be found against them,
 Judgment shall be given against them *ut supra*.
 Br. Er 108. Terms del Ley & Cow. Int. verb. eod.
 Hob. 259. 1 Sid. 397. 412.

Fieri feci as to part, and *Devastavit* retorn'd.

Virtute istius hzevis mihi directē cepi in
 manus meas diversa bona & catalla que sunt
 infranominat H. S. tempore mortis sue in
 manibus infranominat R. O. & R. ux' ejus
 Execut

Execue Cetero p̄dicte H. administrand existend
ad valenc 371. parcell debi infrascripte. Que
quidem bona & catalla remanent in Custodi
mea p̄ defectu emptorū. Et ulterius Justie
infrascripte certifico qd p̄dicte H. & H. di-
versa bona & catalla que fuer p̄dict H. tempore
mortis sue ad valenc resis debi & dampnū in-
frascripte vendideri & devastaveri & denar inde
p̄bentem ad usus suos p̄prie convertaderi,
ita qd resis debi & dampnū infrascripte de bonis
& catallis ejusdem H. & H. levare seu fieri fa-
cere non possit. Et ulterius Justie p̄dict certifico,
qd p̄dicte H. & H. Ur̄ ejus nulla habent
bona seu catalla de bonis & catallis suis p̄p-
riis in balliva mea unde resis debi & dampnū
infrascripte aut aliquam inde parcell fieri
facere possum p̄prie interius mihi p̄cipire.
Vide Dalton 222, 223. Offic. Br. 204. Wilk.

140.

Note, Execution is awarded against Husband
and Wife she being a Stranger Executrix,
after a *Devastavit* retorn'd against them,
the first of them that dies, and his or her
Executor and Administrator is discharged,
and the charge lies only on the survivor of
them, and his or her Executor or Admi-
nistrator. 1 Sid. 337. 467.

Where the wast of the Wife is the wast of
the Husband. Cr. Car. 603. vide postea.

By the Statute of 30 Car. 2. chap. 7. Executors
of any Executor by right or wrong, or of any
Administrator that wasts the Goods of the de-
ceased, shall be chargeable as their Intestate
or Testator would have been if living.

It is said when Judgment is given against
Executors *de bonis Testatoris*, and the Goods are
wasted, the way is not to enquire by Enquest,
but upon the *Scire facias*, the Sheriff returns

Banc. Reg. *nulle bona*, and the Plaintiff may have a Special Writ of *Fieri facias*, that the Sheriff levy the Debt *de bonis Testatoris*, and *si sibi constare poterit*, that the Executors have wasted, then *de bonis propriis*, 5 Co. 32. *Petifer's Case*, and this whether it be by Jury finding Assets, or upon *Nihil dicit*.

Also that an Action in the Debet and Detinet lies against Executors in the Declaration, that he hath wasted the Goods after the first Judgment, (without any return of the Sheriff) and need not go the tedious way by Inquisition, and the Wast in such Action may be strongly traversed. *Sid. 397. Wheatly and Lane*.

Also that a Sheriff must return a *Devastavit*, if the Executor chargeth himself by his own Plea, as where Judgment is given against an Executor upon Demurrer, and Execution awarded, the Sheriff its said cannot return *Nulle bona Testatoris*, but is to return a *Devastavit*, for *per Cur.* he hath charged himself by his own Plea. *Cr. Eliz. 302. Stubb's Case*.

If a Man that takes an Executrix to wife, wasts the Goods, It is a *Devastavit* in the Wife, for it was her folly to take such a Husband as would make a *Devastavit*.

Also if there be a Recovery against Baron and Feme upon a *Devastavit*, if the Baron survive the Wife he shall be charged, and if the Wife survive she shall be charged, but if the recovery be against them both in the life of the Feme, and she dies, the Baron shall not be charged. *Cr. Car. 374*.

Aliter, Retorn of a Devastavit secundum Green-
wood, 233, &c.

Ego R. S. Vic. Com. infranōiac Justic
inframenc certifico. Qd infranōiac A. B. an-
te advenē istius vris devastabit & ad usum
suum ppe convertit. dista bona & catalla que
fuer infranōiac F. G. tempore mortis sue ad
valenc debi & dampnoz. infraspē & que ad
man & possessionē ipsius A. B. Executor
ejusdem F. G. administrand debener ita qd
debui & dampna pō vel aliquam inde parcelle
de bonis & catallis pō Testator pfac F. G.
levari seu fieri facere non potui. Et ulterius
certifico Justic pō qd infranōiac A. B. null
habet bona seu catalla de bonis & catallis
suis ppris in ballia mea Unde dampna pō
fieri facere possum.

R. S. Ar. Vic.

Aliter, by Inquisition, secund' eund', &
Sci. feci retorn'.

Infranōiac A. B. nulla habet bona seu
catalla que fuer infranōiac C. D. tempore
mortis sue in manib' suis administrand in
ballia mea unde fieri facere possum debui &
dampna inframenc vel aliquam inde parcelle
nec ulla bona seu catalla de bonis & catallis
suis ppe in ballia mea unde fieri facere pos-
sum dampna pō vel aliquam inde parcelle Et
ulterius certifico Justic infraspē Qd per
C. J. & C. R. probos & legales homines de
balliva mea scire feci eidem A. B. qd sit co-
ram Justic pō ad diem & locum infracontene
Ad ostend, &c. pꝛout interius mihi pꝛeci-
pitur.

Resid Executcon istius bñs patet in qua-
dam Inquisicon huic bzevi annex.

R. S. Ar. Vic.

Inquisico indentat cape apud A. in Com
 pñ 22^o die Januarii año rñi Dñi Regis infra-
 scripse 14^o coram me R. S. Die Com pñ Vir-
 tute bñs dice Dñi Regis mihi directe & huic
 Inquisicon annex p sacm G. D. (Ec.) pñ &
 legnum homin de ballia mea qui dicunt sup
 sacm suu Qd A. B. in pñ bzevi nbiat devasta-
 vit & ad usum suu pñi convertit disla bona &
 catalla que fuer infranomiac C. D. tempore
 mortis sue ad valenc debi & dampno. In eo-
 dem bzevi specificat Et que ad mand ejusdm
 A. B. administrand debent In cujus rei
 testimonium tam ego plac Die quam pñ Jut
 huic Inquisicon indent alternatim sigilla
 nostra apposuvimus eisdem die & anno pñmo
 supdict

R. S. Ar. Vic.

The Sheriff retorn'd an Inquisition that the
 Wife, Executrix to her former Husband, had
 wasted during her Widowhood, &c. and that her
 now Husband had not wasted any of them; and
 the Jury pray'd the discretion of the Court, *Si*
devastaver according to the Writ. The Sheriff's
 Retorn was held good enough, and it was
 adjudged for the Plaintiff. *Cro. Car.* 438.

Aliter sur Devastavit.

N. Justic infrascripte, Ec. certifico Qd in-
 franominac L. G. post mortem infranominac
 R. P. habuit disla bona & catalla in balliva
 mea que fuerunt pñi R. P. tempore mortis
 sue in manibz pñ L. G. administrand ad va-
 lenciam

lenciam debiti infrascripte sed ante aduentu
 istiusbris mihi direce p^r L. B. disla bona &
 catalla que fuerunt p^r R. P. tempore mortis
 sue in balliba mea ad valenciam debiti infra-
 scripe que ad manus p^r dice L. B. debenerunt
 devastavit & ad usum suu p^r p^rid convertit p
 quod debie & dampna infrascripte seu aliquā
 inde parcelam ullo modo fieri facere non pos-
 sum put interius mihi p^rcipitur. Offic. Brev.
 220. Vide postea, tit. *Fi. fa.*

A. B. Ar. Vic.

Aliter, secund' Brev' Judic' 259. vers. Adm'.

Justie infrascripte certifico Qd disla bona
 & catalla que fuer infranominat W. B. tem-
 pore mortis sue ad valenc debi & dampn in-
 frascripte post mortem p^r W. ad manus infra-
 scripe A. debener ad ministrand Qd eadem
 A. eadem bona & catalla ante advene h^rebis
 istius devastavit & ad usum suu p^r p^r con-
 vertit p quod debim & dampn p^r de bonis &
 catallis p^r fieri facere non possum put inte-
 rius mihi p^rcipitur.

The Sheriff retorn'd *Elongavit* the Goods of
 the Testator, and held as good as if he had
 retorn'd that the Executor *devastavit*. 1 *Sid.* 397.
 See more for these things in the *Law of Exe-*
cutors, chap. 17.

Aliter *Devastavit* prout compert' coram Capi-
 tal' Justic' apud Guildhall.

Virtute istiusbris nobis direct Justie in-
 frascript certificamus Qd infranominat J.
 B. die impetrat Bris Original infranominat
 scit (tli die & anno) huit in manibz suis disla
 bona

Banc. Reg.

W bona & catalla que fuer infranōiae **C. A.** tem-
 pore mortis sue administrant ad valenciam
 100 Mercarum de debo infraspex Unde eidem
W. de debo infracotent satisfecisse potuit
 (apud **E.** in Paroch & **Ward** in **Parre** p^{re}
W. mentonae) prout compere fuit ad **Ad** p^{re}
 apud Guildhall Civie **E.** p^{re} sacm p^{re}ori &
 legalium hominū ejusdem Civie coram **C. A.**
 Quil Capital Justic Dñi Regis de Banco
 associae sibi **W.** **H.** per formam Statue, &c.
 Que bona & catalla p^{re} dñus **J. H.** ante ema-
 nacoem istius b^{re}is Devastabit & in uld^{re} sud
 p^{re} convertit per qd denat ill infracotent
 aut aliquam inde parcell fieri facere non pos-
 sumus Et ulterius qd p^{re} **J. H.** inter recepto-
 nem hujus b^{re}is & retoz^{re} ejusdem nulla ha-
 buit bona seu catalla de bonis seu catallis
 p^{re} in balliba nostra unde dampna ill infra-
 spex aut aliquam inde parcell fieri facere
 possumus juxta formam istius h^{re}ebis, &c.
 M. 6 Jac. Rot. 14. Vide Brev' Judic' 263.
 Vide postea.

Nulla bona in manibus **W. L. jun'** & **A. H.** sed de-
 vastavit vers' **A.** & quod nulla bona **A.** p^{re}.

Justic infrascripe ad diem & locum infra-
 scripe certifico Qd infranōiae **W. A.** jud &
A. H. nulla habent bona seu catalla que fu-
 er infrascripe **C. A.** tempore mortis sue in
 manib^{us} suis administrant in ballia mea
 Unde debm & dampnū infrascripe fieri & le-
 vari possint Set eidem Justic certifico qd p^{re}
A. H. oīa bona & catalla que fuer p^{re} **C. A.**
 tempore mortis sue in ballia mea que ad ma-
 nus ipsius **A. H.** debent devastabit & ad usum
 sud p^{re}ium convertit Necceiam qd idem **A.**
 non het aliqua bona sua p^{re} Unde dampnū
 p^{re}

ad fieri seu levati possint. Id. Brev. Judic. Banc. Reg.
265.

Aliter spec' Retorn' Devastavit sur Fi. fa.
post Verdict.

**Sur Fi. fa. de bonis & catallis que fuer
R. S. le Vic' retorn'**

Quod bona & catalla que fuer p' R. tempore
mortis sue sufficient ad satisfaciend' quer
dampna p' ultra bona & catalla sufficient ad
satisfaciend' cuidam D. B. de verbo & damp
nis p' ipm T. p' p'lat. R. recusat post mor
tem p' R. ad man' ipsius R. D. debener put
ad p'is p'ins apud Guildhall L. coram G. E.
Capitat &c. assoriae sibi &c. p' formam Sta
tut edit & p'bis p' Veredem Patrie inde cape
nup compere fuit Que quidem bona & catalla
p' R. post mortem p' R. & ante adveniens
p' in ulum suum p' convertit Sic qd debm
&c. T. 10 Jac. Ro. 2518. Thes. Brev. 274.

And here 'tis noted thus: *Multum dubitatur:*
An Vic' sur Fi. fa. de bonis Testatoris, lou est trouve
per Verdict que le Def. ad biens, doit retorn Devasta
vit ou nemy; Et videtur quod doit ceo Retorn, car
appiert quod tempore Verdicti il ad biens, & tunc
& adhuc habet. Et tunc Vic' doit retorn, Fieri
feci, aut non habet; & tunc prima facie Deva
stavit: Mes tamen le Court ne voit compel le Vic'
de retorn Devastavit; Quia quiscunq; retorn il
fait, Facit suo periculo. Vide postea, Fieri
facias.

Disceit.

In a Writ of *Disceit*, it's said, If the Sheriff re
torneth one Summoner to be dead, it's good,
and

Banc. Reg. and the other Summoner shall be examin'd, &c.
 And if it be found that the Sheriff made no
 Summons, &c. the party shall be restored to
 his Land. *Fitz. N. B. 98. Dalt. 223.*

Distringas.

Nichil super Breui de Distringas.

N. Infranciae A. B. nichil habet in ballia
 mea p quod potes distringi vel p quod ipse
 distringere possum.

R. O. Ar' Vic'.

Si sufficiens sic :

**N. A. B. Manucepe infra- } J. D.
 nominat A. B. } R. R.**

Grif 3s. 4d.

A. B. R. Vic'.

Dalt. 223. Offic. Brev. 197.

Retorn' per modo Vic' de Distring' vers. seipm'.

**N. Infranominat A. B. & ego A. B. Ac
 Dic Comd psumus una & eadem plona &
 non alia neq diversa. Ideo metipm distrin-
 gere non possum prout interius mihi p'cipi-
 tur.** *Offic. Brev. 202.*

A. B. Ar' Vic'.

Retorn' Brevis de Distringas Jur'. Vide po-
 stea, *Venire facias.*

If

If there be divers Defendants, the Retorn is thus: 40 d. 40 d.

C. D. N. B. &c. districti sunt & quilibet eorum districtus est p. terri & catalla sua secundum formam hujus brevis. Unde Eric pout patet superius in eorum Capitibus & manucapiti sunt & quilibet eorum manucaptus est per se viz. per J. D. J. S. P. D. qd. sint & eorum quilibet sit ad diem & locum infra scribere juxta tenorem hujus brevis &c. Vide Dalt. 223.

Aliter, Nihil retorned.

J. F. infranōiae nihil habet in ballia mea p. quod nec ubi potest distringi.

Aliter.

J. F. infranōiae nihil habet in terris tenitis & hereditamene infra scribere p. quod ipse distringere possum. Vide Dalt. 223.

Aliter in Audita Querela, secundum Dalt. 559.

Infranōiae N. nihil habet in ballia mea p. quod distringi potest nec est invene in eadem.

Aliter.

Non habet aliqua terre seu tenita bona seu catalla in ballia mea per quod distringi potest.

Districti

District' est per bona.

Infranchiae A. district est p und equid pch
5 l. Et filie infranchiae B. district est p unam
peciam panni ad valenc 10 s.

Manucapē A. & B. & utrinque eorū } J. Doe
p se
R. Roe.

Vers' Execut'. 40 d. 40 d. 40 d.

A. que fuit uxor B. & infrascripte Exec
Cesid C. D. J. B. al Exec Cesid pō B. &
C. B. tertius Exec Cesid pō B. districti
sunt & eorū quilibet p se sepatim district est,
juxta formam hujus bñs Unde Exec put pa-
tet supius in Capitibus eorūdem & eorū qui-
libet manucaptus est p se, viz. p quatuor ma-
nucaptos node A. B. C. D. E. F. & G. H.
& non sunt plures Executores Cesid ejusdem
B. nec heredes ejus fuer in Comitatu put
aliquo modo ad plens mihi constare potest.
Vide Kitch. 266. b.

District est p catalla ad valenc 20 d.

Pleg de pō J. D. R. R.

Vide Dalt. 223.

And it is to be noted, That in this *Distringas*
the Sheriff must always retorn Issues upon the
Defendants, to compell them to appear; which
Issues must be more than the Costs of the Plain-
tiff's Writ of *Distringas*: yet they ought to be
reasonable. *Fitz. Amerc.* 3. *Br.* 120.

Also the Defendant must find Manucaptors
for his Appearance.

And it is observed, That in a Writ of Ac-
count, upon the *Distringas* the Sheriff retorn'd
Manu-

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Manucaptors, *Et qd non sunt Critus*, and it was adjudged a good Retorn. *Fitz. Ret. 120.*

In an Attaine, upon the *Distingas* the Sheriff cannot retorn that the Defendant is dead. *Br. Ret. 1. 18 H. 8. 5.* Otherwise he may.

In Debt, upon the *Distingas* the Sheriff returned, *Mandavi ballio Libertatis, &c. qui nullum dedit responsum.* And for that he did not further retorn, *Quia nulli habet Critus in ballia mea*, he was amerced. *Br. Ret. 23.*

Retorn' *Distring'* nuper Vic'.

Manucapre infranotat A. B. } J. Doe
&
R. Roe.

Exie 10 s.

R. S. Ar' Vic'.

Greenwood 224.

Nihil ret' sur le second or third *Distingas*.

A. B. infrascripte nihil habet in ballia mea ultra Exie prius forisface p quod nec ubi distringi potest put aliquo modo mihi constare potest ad pleng. *Dalt. 224.*

Vers' Cleric'.

M. D. Archidiaconus R. nihil habet in ballia mea de laico seodo p quod nec ubi distringi summoniri seu attachiari potest aliquo modo pout ad pleng mihi constare potest. *Id. Dalt.*

And yet where the Process is to distrain a Clerk, it's there said, "The Sheriff must summon him by his Person, or by his Land, if he

Banc. Reg.

"he have any Lay-Fee. *Finch 135. Averment.*
 ic. If the Sheriff retorn, *Quod est Clericus benefi-*
ficiatus non habens laicum feodum, Proceſs
 ſhall go out to his Ordinary to make him to
 come by the Iſſues of his Benefice. *Dalt. 224.*

Tarde retorned.

Quoad Diſtring' infraſcripe W. B. eſſendi co-
ram Juſtie infraſcripe ad diem & locum in-
fracontene iſtud bre adeo tarde mihi delibae
fuit qd ppter temporis brevitatem execucon
inde facere non potui. Dalt. ibid.

It is noted, That in a *Diſtringas per omnes ter-*
ras ſuas ita quod habeas corpus ejus, &c. the She-
 riff muſt return Iſſues upon the Defendant, and
 not *Diſtrixi, &c.* *Br. 24. Dalt. 224.*

Ret' *Diſtring'* vers' Hundred' ſur Hue and Cry.

Manucapt infranotiae hominū inbitad in
Hundred de O. infraſcripe.

Etia 40 s.

Theſ. Brev. 143.

J. Doe.

R. Roe.

Retorn' Brevis de Inquirend' ſuper Statut'
 Weſtm' 2. cap. 46. de eis qui noctanter ſe-
 pes proſtraver', &c. And this Writ being at
 the Suit of a private perſon, muſt be indors'd,

Pleg de pā { J. Doe
 &
 R. Roe.

Vide *Dalt.* 554.

Inquiſito indentae cape, &c. Virtute briſ
 bli Dñi Regis ad inquirend' Qui malefacto-
 res & pacis Dñi Regis pturbatores apud R.
 in

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Edw. Reg

in Com pñ vi & armis sepes & fossae pñ. W. ibis pñ nup lebat noctanter (aut tñ tem-
pore) quo facta eorū scire non credebant pñ-
straver ad grave dampnū ipsius pñ. W. ei-
dem die direct & huic Inquisitō annex' p
sacm, &c. pñ. &c. Qui die sup sacm suū
qd quidam malefactores & pacis dñi Dñi Re-
gis pturbatores 21^o die Aug' año, &c. apud,
&c. vi & armis 70 pñ. & fossae pñ pñ.
ibis nup antetunc pñ nup lebat noctanter aut tñ
teū quo facta eorū scire non credebant pñ-
straver contra pacem dñi Dñi Regis Sed qui
vel quis sepes & fossae pñ pñstrasset vel pñ-
strasset Aut pñ penitus ignorant In cujus
rei testimonium, &c. Simile Thes. Br. 154.

Retorn' Brevis de *Distingas* propinquas Villat'
sepibus prostrat' circumadjacen'

Indorse on the back of the Writ,—Manu-
scape sepul' inhabitat de C. f. G. (naming
every Vill) existē pñ. Villat' sepib'
& fossae infrascripte circumadjacen'

J. Doe & R. Roe.

Erie inhabitat de C. — 5 l.

Erie inhabitat de f. — 5 l.

Et sic de cæteris Vill.

Tarde inde Retorn'.

Et ulterius Dño Regi certifico Qd istud
bre adeo tarde mihi delibae fuit qd pñter bre-
vitae temporis dampna in Inquisitōe huic
bri annex' mentonal eidem Dño Regi resti-
tuere non possum. Resid' Executōis istius
bris patet in Inquisitōe pñ huic bri annex'.

Inquisitō, &c. dicunt sup sacm suū Qd
pñ. W. in bri huic Inquisitōe annex' nōtal
sustinuit

Banc. Reg. sustinuit dampna octone in eodem bñ spec
 ad 80 l. In cuius rei, &c. Vide Dalt. 554.

And note, If the Sheriff omit any of the
 Vills that are circumadjacent out of his Retorn,
 the rest have an Action against him for so do-
 ing. Dalt. ibid.

Aliter secundum Thef. Brev. 155.

Pleg de pñ } J. Doe
 &
 R. Roe

Erūt terraz inhabitand de B. C. D. E. f.
 pquinqua Villaz sepib? infrascripte
 40 s. sepatim.

Resid Executonis istius bñs patet in qua-
 dam Inquisicon huic annex?

W. W. Ar. Vic.

Inquisito indentat cape apud Castrum G.
 in Com G. die, &c. año, &c. coram me W.W.
 Ar Dic Com pñ Virtute bñs Dñi Regis
 mihi directe & huic Inquisicon annex? sup
 sacm A. B. (&c.) pñoz & leglium hominod
 Com pñ qui sup sacm suod die qd f. C. Ar
 in bzevi pñ nominat sustinuit dampna octone
 pñraconis pñ 60 pticac repagut (&c.) in eo-
 dem bzevi mentonac ad valenc 20 l. In cuius
 rei testimonio tam ego pñac Dic quam Iur
 pñ huic Inquisiconi sigilla nostra appolui?
 die & año supdice, &c.

W. W. Ar. Vic.

Dower.

Banc. Reg.

So that upon this Writ the Sheriff must first
 summon the Defendant upon the Land.

After that, he is to proclaim the Summons at
 the Church-door of the Parish where the Land
 lieth. And then he must retorn all, as before.

Retorn' Brevis de *Petit Cape* in Dote:

*ff. Virtute istius b'is, &c. die 8 anno, &c.
 infrascripte cepti in manib' d'ni Dni Regis
 tertiam partem testatoꝝ. infrascripte cum p'tid
 put interius mihi p'cipitur.*

A. B. Ar' Vic'.

Dalt. ibid. Offic. Brev. ibid.

Upon the *Petit Cape*, the Sheriff must sum-
 mon the Tenant to answer his Default only,
 and not to answer to the Demandant.

And upon the *Petit Cape*, the Sheriff is to
 seize the Lands into the King's hands fifteen
 days before the Retorn. *Fixx. Grand Cape* 19.
Br. ibid. 36.

*Virtute istius b'revis mihi directe 15^o die
 Apr anno infrascripte cepti in man' D'ne Re-
 gine p' visum J. G. & R. C. p'hoꝝ & leg'ium
 homin' de ballia mea tertiam partem unius
 mess. 30 ac' terre & decem ac' prati cum
 p'tid in p. infrascripte put interius mihi
 p'cipitur.* Brev. Judic. 258.

*Note, Quod ibi dicitur Retorn' del Grand Cape,
 & simile ibid. 272. de tertia parte tertiæ
 partis.* Greenw. 228.

Retorn' Brevis super visum in Dote:

*ff. Justie infrascripte certifico qd virtute
 istius b'is mihi direct' habere feci infranomina*
 nat

nat A. B. visum de tertia parte testitoꝝ in Banc' Reg:
 infrascripte in p'sentia C. D. E. f. G. H. &
 J. K. quatuor; Illis ex illis qui visui illi
 interfuerunt Et ulterius certifico qd dixi
 quatuor; Illi p' qd sint coram Justie infra-
 scribe ad diem & locum infracontene ad testi-
 ficando visum illum put p h're p'dict mibi
 p'cipitur. Dalt.225. Of. Br.201,220. Wilk.125.

In *Dower*, if the Demand be of a Rent, the
 Land, &c. out of which the Rent is issuing,
 shall be put in view. Vide *Fitz. Dower* 113.

Demand of the third part of an Office, and
 demand of the view of the place where the
 Office was. Vide *Fitz. View* 90.

Aliter de visu.

Virtute, &c. habet feci infranominat W.
 C. visum de testis infrascripte cum p'rid Et
 dixi J. B. A. B. I. M. & G. D. quatuor;
 testibus ex illis qui visui illi interfuerit es-
 send coram Justie infrascript ad diem & lo-
 cū infracontene ad testificand visum ill p'pout
 illud h're in se exigit & requirit.

A. B. Ar. Vic.

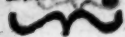
Brev. Judic. 272.

Quod nullus ven' ad habend' visum.

Certifico qd infrandiat W. nec aliquaper-
 sona vel plone p eo vel ex parte sua non ve-
 nit mihi meove Subbie vel Deputat meo
 ad hend visum de Manerio infrascripte cum
 p'rid Ideo non potui causare ipm W. habere
 visum de Manerio ill put p h're illud mihi
 p'cipitur.

O 3

Quod



Quod nullus ven' ad monstrand' yllum.

Datus veld ad me ex parte infrahominat
R. J. ad monstrand' mihi yllum de pastur in
scilicet. Ob quam causam yllum pastur in
infrascripte R. J. habere scire non potui.
Nitch. 272. a.

Retorn of a Writ of Seisin in Dower.

Executo istius breis patet in quadam Sche-
dul huic brei annex.

Virtute istius breis mihi direce primo die
Augusti ano infrascripte habere feci C. R.
plena seisinam de tertia parte tenitor' infra-
scripte cum p'rio (videlicet) de uno Messuagio
uno Gardino & uno Pomario & decem acris
terre arabilis cum p'rio seisinat' facend' & exi-
stend' in paroch' de R. in Com' p'dice tenend' eis
C. R. in sepalitate p' metas & bundas no-
mine totius D'oris ipsius C. R. de tenitis
infrascripte cum p'rio ipsi C. R. post mor-
tem M. R. nup' brei sui contingend' put' inte-
rius mihi scriptur. Offic. Brev. 213.

Vide postea, Habere fac' seisinam.

Aliter secundum Dalt. 225, 226.

Executo istius breis patet in quadam Sche-
dul huic brei annex.

Iustic' Dni Regis certifico qd virtute bre-
bis Dni Regis mihi direce & huic Schedul
annex 10^o die Augusti anno, &c. haberi feci
P. B. vid' in brei p'd notae plena seisinam de
tertia parte Manerij de B. cum p'rio in eod
brei spec, viz. de una Aula & Coquina de
duob' Shopis in tenu' dice P. cum libere
ingress

ingressu & regressu ab & ad eandem neehon de su-
periori parte domus manorial in tenue D. C.
ab introitu sibi Austral ac de uno Clauso se-
perat vocat A. continet p estimacione quinq;
acri ac de quatuor acris pastur jacent in bozeat
sine unius Clausi vocat B. ac de una acris pa-
stur vocat C. in hzevi spec tenent pfac P. B.
in sepalitate p metas & bundas nomine ro-
tius Dotis ipsius P. ad ipam P. attingend
de toto Manerio in dco hzevi spec put per bre
pd mihi pcepitur.

A. B. Ar. Vic.

Vide Offic. Brev. 200. Wilk. 134, 135.

Aliter secundum Dale. 558.

Virtute istius bñs mihi direct & hñc
Schedul annex' tñ die & año dei feci P. P.
& M. ur' ejus in bñ pd nominat plenat lei-
sinam suam de tertia parte terra2 & tenito2
cum pñd in eodem hzevi specificat videlt de
una aula uno parbo introitu uno porticu uno
conclavi (&c. naming the particulars) neehon
de duabz acris & dimid unius acris terre cum
pñd in hzevi pd contene jacent & existend (&c.)
ac modo vel nup in tenura sive occupacione pd
A. P. vel assign' suor2 cum liber ingressu &
regressu in ad & ab eisde tenent pfac P. & M.
in sepalitate p metas & bundas nomine ro-
tus Dotis pd A. ipsi pfac A. de tenitis in hzevi
pd specificat post mortem P. A. in eodem bñ
nominat contingend put per hzebe pd mihi
pcepitur.

And here 'tis observed as follows, viz.

Note, The Sheriff for his own Safety, before
he makes Retorn of this Writ, shall take the
hand of the Attorney who prosecutes the Writ,

Banc. Reg. to the Draughtor Copy of this Retorn, thereby
 W desiring the Sheriff to make the Retorn, and
 declaring therein that he and his Client will be
 therewith content. *Id.* 559.

So that the Sheriff in *Dower* is to make Ex-
 ecution, and to put the Wife in Seisin of the
 third part, by Metes and Bounds if he can. *Cq.*
Litt. 32, 34.

And yet in some Cases the Sheriff is to assign
 the Wife her Dower to hold in Common *per my*
& per tout, and not by Metes and Bounds, as of
 Lands held by her Husband in Coparcenary or
 in Common: So of the Profits of a Mill, of
 Common of Pasture, or of an Office. *Fitz.*
Avowry 91. *Fitz. Ent.* 75. *Affize* 435. *Fitz.* 149.
J. K. Co. Litt. 32.

In Dower of three Manors or three Acres,
 the Sheriff may assign to the Wife one entire
 Manor, or one Acre for all; and he may as-
 sign the whole Manor with the Avowson, or
 he may assign the third part of each, and the
 third Presentment to the Advowson. 12 *E.* 4.
Br. Dower, 72.

The Writ to the Sheriff was to deliver the
 Wife ten Marks *per annum* in Land and Rent,
 and the Sheriff delivered her in Land five Marks
per annum, and five Marks in Rent issuing out
 of the Land whereof she was dowable, and hol-
 den good. *Br. Dower* 61.

Upon the recovery of a third part of a Ma-
 nor in Dower, the Sheriff may assign to the
 Wife a Copyhold with other Lands.

And the Sheriff may put the Wife in Seisin
 by a Clod, or by an Herb, or by any Beast be-
 ing upon the Land. 40 *Ed.* 3. *Fitz. Dower* 38.
 but the Woman may not use the Beasts.

Upon an *Habere fac' seisinam in Dote*, the She-
 riff returned, That he offered the Demandant
seisin

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seisin de tertia parte, &c. by Metes and Bounds, Banc. Reg. and that she refused it, this is said to be a good Retorn: But if the Sheriff in the beginning retorn, *Quod here fecit seimam*, (shewing the parcels) *que omnia obtuli delibare, &c.* but she refused it, this is repugnant and void. Dy. 278.

It is no good Retorn for the Sheriff to alledge *Nontenancy* in him whom the Writ mentioneth to be Tenant.

If the Sheriff shall deliver to the Wife the Moiety of the Land in Execution for the third part, there seems no Remedy against the Sheriff, but a *Scire fac'* against the Wife. Br. Ex-tent. 13. & Fitz. Execut. 265.

Also it's said, the Sheriff may execute this Writ, that is, he may himself assign the Thirds to the Wife, without any Jury. Co. Litt. 32, 34.

The Retorn of a Writ of Enquiry of Damages in Dower, where the Tenant dy'd seized.

Executio istius brevis patet in quadam Inquisitie huic brevi annex'.

Inquisitio indentatæ capæ apud Cantab' in Com' p' 12^o die Januarij anno, &c. coram me H. B. Ar Die Com' p' virtute brevis Dñi Regis mihi directæ & huic Inquisitio annex' p' sacm' C. D. E. F. G. H. (Et. to the number of Twelve at least) qui dicunt sup' sacm' suu' Quod infranominat' W. H. quinto die Jan' a'no &c. apud H. in Com' p' obiit seisse in dñico suo ut de feodo de & in testis infraspec' Et qd' testa p' sunt clari annui valor in oib' ex-ic ultra reppis 20s. Et qd' sex anni & tria quarter unius anni dilabantur a tempore mortis p' W. H. Et qd' infranominat' J. D. sustinuit dampna octone Dotis sue infraspec' ad valenc' 10 l. In cuius rei testimonium tam ego p'fac' Die quam Jur' p' huic Inquisitio

Banc. Reg. sicund sigill nostra alternatim apposuimus die
 W anno & loco sup̄dictis, &c.

A. B. Ar. Vic.

Dalt. 227. Vide Brev. Judic. 105, 259. Wilk.
 139.

Note, That upon a Writ of Enquiry of Damages, if the Jury will find no Damages, and the Sheriff maketh his Retorn accordingly, tho' the Retorn be not good, yet the Sheriff shall not be amerced for this default of the Jury. *Br. Ret.* 26. *Fitz. Ret.* 66.

And yet by others it is a good Retorn, that the Jury have found no Damages; for the Sheriff retorneth what they did. 44 E. 3. 3. *Finch* 229. Vide *Dalt.* 227.

Retorn' ubi nemo venit ad monstrand' visum.

Iustice infrascripte ad diem & locum infra contentē certifico Quod nullus ex parte infranominatē C. B. venit ad monstrand' mihi visum de Melsa &c. p̄d' Ideo visum &c. testor. infraspēficat' eidem C. B. habere facere non potui put' interius mihi p̄cipitur. Vide Of. Brev. 214.

Aliter de Breui de Seisina in Dote & Inquisicon' superinde de Dampnis, secund. Brev. Judic. 260.

Virtute, &c. tli die & aſſo, &c. infrascripte habere feci infranominatē C. plenar' seimam de tertia parte testor. in eodem h̄ri spec' videt de, &c. tenend' eid' C. in sepelitat' p' metas & bundas noīe totius Dotis sue! ip̄s de tenemene infrascripte post mortem J. D. in h̄rd nominatē contingend' put' int'ius mihi p̄cipie.
 Resid

Residuum executionis istius brevis patet in quadam *Banc. Reg.*
Inquisitione huic brevis annexa.

Inquisito indentat capere apud E. in Com
pō coram me R. C. Ar. Vic. Com. pō virtute
cujusdam brevis ejusdem Dñi Regis mihi plac
die directe & huic Inquisitioni annexa p. sacrum
E. J. &c. qui die sup. sacrum suū. Et pō J. D.
in pō hō huic Inquisitioni annexa tempore
mortis sue fuit se in dñico suo ut de seoda
de & in testis in eodem hō spec. cum pertin
Et qd eadem testis cum pō valent p. annu
in oibz erit ultra repzā 5 l. Et qd quatuor
anni elapsi sunt a tempore mortis ejusdem J.
Et qd E. G. in eodem hō notae sustinuit dam
pna occasione detencionis Dotis sue in dño hō
spec. ad ros. & p. mis. Et. 6 s. In cuius rei, &c.
Hill. 25 Eliz. 2239. Vide Brev. Judic. 105.

Aliter.

Executio istius brevis patet in quadam
Schedul (vel quadam Inquisitione) huic
brevis annexa.

W. H. Ar. Vic.

Virtute istius brevis Dñs Regine huic
Schedul annexa tñ die & anno habet fecerit E.
H. &c. prout interius mihi scriptum.

Inquisito indentat capere, &c.

W. H. Ar. Vic.

Vide Brev. Judic. 260.

Aliter de Seisin infra Libertat', & Ballivus null'
dedit respons'. Et Inquisitio superinde de
Dampnis, ut ante. *Id.* 262.

Droit.

Droit.

Retorn' in Brevi de Droit.

Que le Plaintiff invenit sibi Pleg' de Clam' suo
ps' Et vid', &c.

Que le Defendant summonit' fuit per, &c.

Intr. 243. *Dalt.* 227, 228.

It is there noted, That a Jury in a Writ of
Right is called, *The Grand Assize*, being four
Knights or others, chusing a Jury of Seven
(or more) unto them.

Retorn' Sum' quatuor Milit', &c.

Virtute istius brevis sum feci R. C. Mil &
C. N. Mil duos Milites Gladijs Cinctos de
Comd meo essent coram Justic infrascripte ad
diem & locum infrascripte ad eligend' put h'p
illud in se exigit & requirit. Et non sunt
plur Milites in balliva mea Ob quod sum
feci J. B. & C. P. Armigeros ad eligend' si-
mulcum Militib' p' put breve p' in se exi-
git & requirit J. B. & W. B. Sum. Brev.
Judic. 265.

J. P. Ar. Vic.

Aliter.

Justic, &c. Qd' non sunt aliqui Mil in
balliva mea, set virtute brevis mihi direct
sum per bonos Sum J. R. &c. quatuor Ar-
migeros Gladijs Cinct de Comd meo qd' sint
coram, &c. ad diem & locum infrascripte ad
faciend' & eligend' super sacrament' sum 12
de leglib' h'ob' put istud breve in se exigit &

The New Retorna Brevium.

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& requirit. Sum. R. G. H. B. M. Sum. Banc. Reg.
pdice & eorum utriusq. R. B. R. M.

T. F. Ar. Vic'.

Brev. Justic. ibid.

If the Plea be removed by *Pone* out of the County into the Court of *Common Pleas*, the Sheriff needeth not to retorn the Tolt whereby the Plea was removed out of the Lord's Court, to the County Court, &c. *Fitz. Rec. 10.*

The Retorn of the Bailiff of the Court may be thus :

As pdice C. (Def.) Nihil habet in balliva mea per quod potest Attachiari nec habet ballibum, nec inventus est. Lib. Intr. fo. 242. b. vide Dalt. 228.

Aliter Sum' in Magna Affisa'.

Virtute istius bzebis mihi direct Sum. fecti M. B. M. R. C. D. M. R. C. M. M. R. & F. G. M. R. quatuor legales milie in Com meo gladii cinctos p M. & B. ballibos meos essendi coram Justic infrascripte ad diem & locum infracotent ad faciend in omnibus prout istud bzebe in se exigit & requirit.

Sum pdice & eorum utroq. Manucape est per H. J. & C. R.

A. T. Mil. Vic'.

Brev. Judic'. 266.

Ducens tecum.

Virtute istius bzebis mihi direct in prope persona mea fui coram Dno Rege infrascripte ad

Banc Reg. ad diem & locum infracontene ducens meum
 infranominat C. G. put interius mihi p-
 cipit.

T. G. Ar. Vic.

Offic. Brev. 220.

Estate pbanda. Vide Dalt. Offic. Vic. 228.
 and Quare for the use,

In Ejectione Firme.

Pleg' de p'oss. { J. Doe.
 R. Roe.

Infranominat A. B. Attach est per Cen-
 tum obes precij viginti Libra 24, or Attachi-
 ac est per Pleg'. B. C. D. E.

Nihil.

Infranominat C. D. & E. F. Nihil habent
 in balliva mea, per quod Attachiari pos-
 sunt. Vide Dalt. 229.

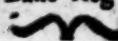
Elegit.

Retorn of an Inquisition upon an *Elegit*, as
 well for Lands as Goods. 2 Dalt. 547.

ff. Inquisitio Indentae Cape apud W. in
 Com p'dicto decimo Septimo die Junij anno
 Regni Domini Caroli Secundi nunc Regis
 Anglie, &c. decimo nono coram me C. P. Ar-
 migero Vic Com p'dice virtute h'rebis Domini
 Regis mihi dicere & huc Inquisitioni annex-
 ac per Sacramentum A. B. C. D. &c. probor-
 um & legalium hominum de balliva mea,
 qui onerat & jurat existere dicunt super Sa-
 cramentum

cramend suū, quod W. R. in dicto hzebi hūc
 Inquisitioni annex' nominat die caption' huius
 Inquisitionis possessionat fuit, de bonis & catallis
 sequend ut de bonis & catallis suis propriis
 videlicet, de viginti vaccis, precij decem li-
 brarum, & de viginti ovibus, precij decem
 solidorum quas ego prefat. Vic p'dicto R. C.
 liberari feci tenend sibi bona & catalla pre-
 dicta ut bona & catalla sua propria in parte
 satisfactionis debiti & dampnorum suorum
 p'dictorum in hzebi p'dice mentionat Et ulte-
 rius Jur p'dice super Sacram suum p'dictum
 similiter dicunt quod p'dictus W. R. tempore
 redditonis iudicii p'dice scilicet in p'd' Octa-
 bis Sancti Hillarij seisse fuit in dominico suo
 ut de Feodo, de & in uno capitali Mesua-
 gio una domo portali (Anglice a Gate-
 house) duobus horreis, & duobus stabulis
 cum pertinentiis & tribus Gardinis & tri-
 bus Pomariis, eidem capitali Mesuagio ad-
 jungend Ac etiam de & in quinquaginta ac-
 ris terre Arabilis & Pasture aut eo circiter
 prox' p'dict' capitali Mesuagio jacent & adinde
 pertinen' clari annui valoris in omnibus ex-
 itibus ultra rep'is quatuordecim librarum
 & decem solidorum Ac etiam de & in quin-
 quaginta acris prati, aut eo circiter p'dice
 capitali Mesuagio similiter pertinen' clari
 annui valoris in omnibus exitibus ultra re-
 p'isas viginti & quinque librarum ac etiam
 de & in viginti acris bosci, aut eo circiter
 p'dict' capitali Mesuagio pertinen' clari an-
 nui valoris in omnibus exitibus ultra rep'is-
 sas quinque librarum. Ac de & in Octaginti
 acris terre arabilis & pasture, aut eo circi-
 ter p'dice capitali Mesuagio pertinen', clari
 annui valoris in omnibus exitibus ultra
 rep'isas quadraginta & quinque librarum &
 decem

Banc' Reg'

 decem solidorum que quidem premissa sunt
 scituas jacent & existunt in Parochia de L. in
 dicto Com. M. & modo sunt in tenura sive oc-
 cupatione p'dice W. R. sive assignatorum suo-
 rum Ac etiam de E in uno alio Messuagio,
 ac diversis aliis parcellis terre arabilis p'ati
 & pasture eidem Messuagio pertinent con-
 tinent per estimationem sexaginta & tres a-
 cras aut eo circiter clari annui valoris in
 omnibus exitibus ultra reppisas decem li-
 brarum scituas jacent & existunt in Parochia
 de L. p'dice E modo in tenura sive occupati-
 one p'dice W. R. sive assignatorum suorum
 Ac etiam de E in uno alio Messuagio & de
 diversis aliis parcellis terre arabilis, p'ati
 & pasture eidem Messuagio pertinent con-
 tinent per estimationem quadraginta acras
 aut eo circiter clari annui valoris in omni-
 bus exitibus ultra reppisas sex librarum, &
 scituas jacent & existunt in Parochia de J.
 in Com. p'dice modo in tenura sive occupati-
 one S. W. Ac de E in uno alio Messuagio,
 & diversis aliis parcellis terre arabilis p'ati
 & pasture eidem Messuagio pertinent per esti-
 mationem quadraginta acras, aut eo circi-
 ter clari annui valoris in omnibus exitibus
 ultra reppisas sex solidorum & octo denar.
 scituas jacent & existunt in Parochia de L.
 p'dice & modo in tenura & occupatione J.
 B. Ac de E in duabus aliis parcellis teri
 arabilis & pasture continent per estimationem
 novem acras, aut eo circiter, clari annui
 valoris in omnibus exitibus ultra reppisas
 tresdecim solidos & quatuor denar scituas
 & jacent in Parochia de L. p'dice modo in
 tenura P. C. Ac etiam de E in tribus aliis
 parcellis teri arabilis & huer continent per
 estimationem vigine acras, aut eo circiter,
 cla

clari anni valoris in omnibus exitibus ul-
tra reprisas quadraginta solidorum scituat
jacent & existent in Parochia de G. in Com'
M. p'dice & modo in tenura sive occupatione
M. M. Et Iur' p'dice super Sacramentum
suum p'dictum ulterius dicunt qd p'dice ca-
pitale Messuagium p'dice domus Portat
(Anglice a Gate-house) p'dice duo horrea &
p'dict' duo Stabula cum pertind p'dict' tria
Gardina & p'dict' tria pomaria abinde perti-
nent & p'dice quinquagine Acri terre arabile
& Pastur' aut eo circiter pr' p'dice capital'
Messuag' jacent & abinde pertind & p'd 50 Acre
p'ati p'dice Capital' Messuagio similiter spe-
ctat Et p'd viginti Acri bosci unact p'd Mes-
suagis & p'd diversis parcellis terri arabilibus,
p'atis pastore continend per estimationem
sexagint & tres accras aut eo circiter sunt
vera & equalis medietas omnium & singula-
rum terrarum tenementorum & heredita-
mentorum quorumcumq; in Comd M. p'dice
p'dicto M. R. in dicto hzebi nominat quam
quidem medietate Ego p'dice Die p'dice die
captionis hujus Inquisitionis, p'dice R. G.
Gend in dicto hzebi nominat ad rationabile
precium & extene liberari feci, tenend sibi &
assignatis suis ut liberum tenementum suum
juxta formam statuti inde edic & p'bis quo-
usq; resid' debiti & dampnorum p'dice in hzebi
p'dice specificat inde levaverit prout hzebe
p'dice in se erigit & requirit Et ulterius
Iur' p'dice super Sacramentum suum p'dice
dicunt quod p'dice M. R. in hzebi p'dice
nominat tempore redditionis judicij p'dict'
in dicto hzebi specificat non habuit, nec die
captionis hujus Inquisitionis aliqua alia
sive plura habet bona seu catalla, terras seu
tenementa in Comd p'dice ad notitiam Iur'

Banc. Reg.

W *predice.* In cuius rei testimonium, tam ego prefat Die quam Iur p^dice huic Inquisitioni sigilla nostra alternatim appolimus, die anno & loco supradictis.

Vide Dal. 547.

C. P. Ar. Vic.

Inquisitio super Elegit.

Retorn of an Inquisition of Lands only, and that the Defendant hath no Goods. *Vid. Off. Br. 206.*

N. Inquisito Indentae cap^e apud Deptford in Com^o p^dice primo die Novemb^r anno Regni Domini nostri Caroli Secundi Dei gracia Anglie Scotie Francie & Hibernie Regis fidei defensoris, &c. decimo quarto coram me D. P. Ar Die Com^o p^dice virtute brevis dicti Domⁱ Regis mihi directe & huic Inquisitione annex^r per Sacram^o T. R. N. L. &c. probor & legalium hominum de balliva mea qui Jurati & onerati super Sacramene suum dicunt quod M. B. de T. in Com^o p^dice Gen^r in dicto brevi mentionae vicelesimo quarto die Octobr^e anno regni dicti Domⁱ Regis nunc 12 quo die iudicium versus prefatum M. redditum fuit, seiscitus fuit in dominio suo ut de feodo de & in una capitali Messuagio sive tenemento, uno hort^o reo uno stabulo & uno Columbario cum pertinenti^{is} in T. in Com^o p^dice ac de & in uno Cera^o cito Anglice a Cherry-garden continend^o per estimacionem duas accras sive plus sive minus scituas jacent^{es} & existend^{es} in T. p^dice & modo in tenura sive occupatione p^dice M. B. vel assign^o suor^u clari annui valoris in omnibus erit ultra rep^ris quindecim librar^u. Et ulterius Iur^u p^dice super Sacram^o suum p^dice dicunt

dicunt quod p̄dice M. B. nulla habet bona seu catalla nec tempore redditionis Iudicii p̄dice vel unquam postea habuit vel habet ulla alia sive plura terras aut tenementa in Com̄ p̄dice ad noticiam Iur̄ p̄dice que ullo modo extendi aut appreciari possunt Medietate omnium quorū & singulorū tenementorū & terrarū cum pertinent p̄mentonae videlicet duo Messuagia duo Pozrea & nunc stabulum scituac jacent & existēt in Parochia de L. p̄dice in occupatione A. B. vel Assignū suor, &c. ego p̄fate Dic̄ die Captionis hujus Inquisitionis virtute h̄ebis p̄dicti levari feci M. B. M̄ & M. uxor̄ ejz̄ in dicto h̄ebi s̄liter nominat p̄ rationabile p̄cium & extēne tenendū medietate p̄ ut lib̄ um tenementū suū sibi & Assignū suis juxta formā Stat̄ in hujusmodi Casu edic̄ & p̄bis quousq; debum & dampna in h̄ebi p̄dice spec̄ plenā inde levaberint put p̄ idem h̄ebe mihi p̄cipie. In cujus rei testimonium tam ego p̄fate Dic̄ qm̄ Iur̄ p̄dice huic Inquisitioni sigilla nostra sepatim apposuimus die & anno sup̄radice.

A. B. Ar. Vic̄.

Retorn of an Inquisition upon an *Elegit*, against the Heir and Tertenant upon a Judgment in the *Quench's Bench* revived by *Scire facias*.

Inquisito indentae cape, &c. in Com̄ p̄dice 2 die, &c. anno, &c. coram me R. L. M̄ Dic̄ Com̄ p̄dice virtute h̄ebis Dñi Regis mihi directe & huic Inquisitioni annex̄ per Sacm̄ J. H. &c. duodecim p̄borū & legalium hominū de balliva mea, qui jurat & onerat existēdie sup̄ Sacm̄ suum qd̄ Edm̄us Marchio W. in h̄ebi p̄dice nominat die redditionis Iudicii

Banc. Reg. in eodem hzebi mentonae scilicet 29 die Robet
 1605. fuit leie de & in omnibus & singulis
 messuagiis terris testis & decimis cum per-
 tin in hzebi pdice specificae in Dinko suo ut
 de feodo Edm. Masia de W. H. P. & S. H.
 in hzebi pdice mentonae in balliva mea va-
 lent clare per annu in omnibus Erie ultra
 reppis 200 l. ac etiam tria messuagia & cen-
 tum acc pastur cum pertin in hzebi pdice
 mentionae in Paroch de E. in balliva mea
 valent clare per annu in omnibus Erie ultra
 reppis, &c. ac etiam decime granoꝝ & seni
 Agnelloꝝ & Lane crescent annuatim reno-
 vad & pbenied in Paroch de A. P. P. & L.
 in pdice hzebi mentonae in balliva mea va-
 lent clare per annu in omnibus Erie ultra
 reppis 60 l. &c. Vide Thes. Brev. 96, 97.

Decime
 granorum,
 &c.

Aliter secundum Kitch. 270. b.

Virtute istius hzebis Ego P. S. Ar Die
 Com infrascripte tali die & anno deliberavi
 J. B. medietate manerioꝝ in Inquisitione huic
 hzebi consue specificae cum pertin p Extene
 in dca Inquisitione face tenens sibi & assign
 suis ut libum testum suu quousq; idem J. B.
 debum & dampna sua infrascripte levare
 put interius mihi pcepit.

Aliter secund' eundem 270 b.

Virtute istius hzebis tali die & anno li-
 bari feci infranominat A. B. medietate ma-
 nioꝝ de S. cum pertin Extene ad annu va-
 lozem quatuor libe sterlingoꝝ in omnibus
 Erie ule reppis per 12 Jurat in Inquisitione
 huic hzebi consue nominat De quo quidem
 mastio

mañio cum pertinē B. G. & C. ux' ejus fuer Banc. Reg.
inde sciti ut in jure ipsius C. in feodo ut de
libero tenito die capton Inquisiton p'dice put
in eodem compertum est Habens & tenens e-
andem medietatē manerii p'dia' cum pertinē sic
extens p'dice A. B. & Assign' suis ut liberum
tenitum suum quousq; infra scripte 40 l. inde
levabit juxta formam istius brevis.

Resid' vero Execuc' istius brevis patet in Levavit.
quadam Inquisitone huic brevi consue, &c.

Aliter secund' Dalton 231.

Execucio istius brevis patet in quadam
Inquisitone huic brevi annex'.

A. B. Ar' Vic'.

ff. Inquisito indentat' cap't apud L. in Com
p'dict 10 die Junij anno, &c. coram me A. B.
At die Com p'dict' virtute brevis Dñi Regis
mihi direct' & huic Inquisitoni annex' per
Sacrd' C. B. &c. (and so name 12 at the least)
Qui die super Sacrd' sud qd C. D. in brevi
p'dict' nominat' (tali die & anno, &c.) fuit seie
in dominico suo ut de feodo de & in uno Mes-
suag' vocat', &c. cum pertinē jacent' & existend'
in L. in Com p'dict' modo in occupatōe A.
I. vid' clari annui valoris in omnibus Eric
ultra rep'is 40 s. Ac etiam de & in uno gar-
dino cum pertinē vocat', &c. in L. p'dice clari
annui valoris in omnibus Eric ultra re-
p'is 20 s. ac etiam de & in un' al' Messuag'
cu pertinē in L. p'dict' scituat' jacent' & existend'
ppe, &c. nuper teri' cujusdam ff. A. defunct'
modo in occupatōe B. C. vel Assign' suorū
simulcum omnibus gardinis & Edificiis ei-
usd' Messuagio spectand' sibe ptinend' clari annui
valoris in omnibus Eric ultra rep'is 5 l.

Banc. Reg. accetiam de & in uno alio Messuagio vocat, &c.
 in L. p̄dict' in tenura p̄dict' B. C. clari annui
 valoris in omnibz. Et ultra rep̄is 10 s. Et
 Jur' p̄dict' super Sacm̄ suū p̄dict' dicunt Qd
 Messuag' p̄dict' in tenura p̄dict' B. C. unacū
 Gardino eidem Messuag' jacent' & spectant cum
 omnibus & singulis suis p̄tinent' sunt vera &
 equalis medietas omnium & singulorū. terti' &
 tenement' & hereditamene quocūq; in Com
 nostro p̄dict' C. D. in dco h̄zebi nominat' Quid
 quidem medietas Ego p̄fcae Dic deliberari
 feci R. S. in h̄zebi p̄dict' nominat', Tenend' sibi
 & Assign' suis juxta formam Statuti inde
 p̄vis ut liberum tēntum suū, quousq; debd
 & dampna sua in h̄zebi p̄dict' mentonac plen
 nar inde levaverit put h̄zebe p̄dict' in se exigit
 & requirit Et ulterius Jur' p̄dict' super Sa
 crm̄ suū p̄dict' dicunt Qd p̄dict' C. D. nul
 la alia sive plura bona habet seu die Recu
 perac' debiti p̄dict' (or die Judicij) habuit
 bona aut catalla terras sive tēnta in Com
 p̄dict' In cujus rei Testimonium tam Ego
 p̄fcae Dic qm̄ Jur' p̄dict' huic Inquisitioni si
 gilla nostra alternatim apposuimus die and
 & loco supradict', &c.

A. B. Ar. Vic'.

Vide Wilk. 136.

Aliter sur liberavi Retorn.

Virtute istius h̄zebis Ego A. B. Dic Com
 infrascripte (tali die & anno) libavi J. B.
 medietas mansioꝝ in Inquisitione huic h̄zebi
 consue spec' cum pertinen' p' Extene in dca
 Inquisitione face tenend' sibi & Assign' suis
 ut liberum tēntum suū quousq; idem J. B.
 debum & dampna sua infrascripte levaverit
 put interius mihi p̄cipie.

Aliter.

Aliter.

Virtute istius brevis (tali die & anno)
libari feci infranominat N. B. medietat maner
dei de B. cum pertinet extens ad annu val
lorem quatuor libe sterlingorum in omnibus
Erie ultra repis per 12 Aut in Inquisitione
huic brevi consue nominat De quo quidem
manio cum pertinet B. G. & C. ur' ejus fuer
inde seie ut in jure ipsius C. in secundo ut de
libero testio die captionis Inquisitionis pdice
put in eadem compertum est habend & te
nend eandem medietat manerij pdice cum p
tid sic Extens pdice N. B. & Assign suis ut
liberum testium suum quousq pdice 41. inde
levaverit juxta formam istius brevis. Resid
vero Execue istius brevis patet in quadam
Inquisitione huic brevi consue, &c. Vide Dalt.
231, 232.

Aliter secund' Brev. Judic. 258. ubi breve no
co fuit plen' Execut'.

Virtute istius brevis mihi directe tali die
& anno, &c. Maneria de B. & G. 100 Mel
suag 15 Gardin 100 Acre Terre, &c. cum
pertinet in B. & G. ut justam & equam me
dietat manerioꝝ & testioꝝ infrascripe cum
ptid in forma infrascripe dimiss infranomi
nat N. T. deliberavi tenend ut libum tes
tum suum sibi & Assign suis juxta formam
Statuti infraspec quousq Debitum & dampn
infrascripe inde levaverit prout interius
mihi precipie.

Banc' Reg.

Inquisitio. Retorn. super Elegit. Brev. Judic. 273.

Fuit scie in Domū suo ut de libero testito
p Termid vite sue de una annuitate sive an-
nuali redditu 20 l. exend de, Et. M. 23 & 24
Eliz. Ro. 801.

See an Inquisition retorn'd upon an *Elegit*, as
well for Goods as Lands. *Dalt.* 547. with
livery thereof.

Et ulterius Jur pdict super Sacram suū
pdict die Ad pdict W. R. in hzebi pdict no-
minae red redditon Judicij pdict in dco hzebi
spec non habuit nec die caption hujus In-
quisiton aliqua al sive plura habet bona seu
catalla terras seu testita in Com pdict ad
notie Jur pdict In cujus rei testimonium
tam ego pfect die qm Jur pdict huic In-
quisitoni sigilla nostra alternatim appolui-
mus die & anno suprad.

Vide ante 218, &c.

C. P. Ar. Vic.

Another retorn of an *Elegit* executed *de Bonis
& Catallis & de Terris secunda*, *Dalt.* 553, &c.
and livery thereof.

Et ulterius Jur pdict dicunt super Sacram
suum pdict qd pdict A. non huit (tali die)
in hzebi pzed spec quo die hzebe illudo ema-
nabit nec unqm postea aliqua al sive plura
bona seu catalla in balliva mea nec habuit
pdict die redditonis Judicij pzed seu unqm
postea aliqua al sive plur terras seu testita in
balliva mea que extendi & appreciari possunt
ad notie Jur pdict In cujus rei testimoni-
um, &c.

Deli-

Deliberat' post Extent' fact' sur Obl' Statut'.
Stapul.

Virtute, &c. libavi infranominat B. B.
Maneria Terras & Tenementa infrascript
habens sibi & Assign' suis ut liberum Testi-
tum suum quousq; sibi de debito infrascripe
unacum dampnis missis & expensis suis ple-
narie fuerit satisfacere prout, &c. Dalt. 233.
Kitch. 271.

Dalt. 232. It is observed that upon an *Elegit*,
the Extent and valuation of the Lands, and
praising of the Goods must be by an Enquest,
scilicet per Sacrm' 12 proborum & legalium homin'
and not by the Sheriff himself, altho' the Writ
speaketh of no Inquisition. Co. 4. 74.

Also Dyer 100. The Sheriff upon an *Elegit*
retorn'd he had deliver'd Goods *ad valenc'* 20 l.
per rationabile pretium, and 20 Acres of the De-
fendants Lands, *Qua est medietas omnium terrarum*
per rationabile Extent', but retorned no Inquisi-
tion *scilicet per Sacrm' 12, &c.* and it seemeth
by the Court there, that the Extent ought to
have been by Inquisition, &c. and that the
Sheriff himself cannot extend it. Dalton *ut*
supra.

'Its said the Sheriff by virtue of the Writ,
may charge the Jury to make enquiry accor-
ding to the said Writ; and that the Sheriff and
Jury may go to the House or Ground to be
extended, or where the Goods to be praised
do lie, and there may appraise and value the
same. 5 Co. 91.

And that the Sheriff and Jurors may go into
the same House or Ground to that purpose,
if the Doors or Gates be open, but may not
break open the Gates or Doors. *Ibid.*

See

Banc. Reg.

See *Dalt. Offic. Vic' fo. 133, 134, &c. Tit. Execution' per Elegit*, what Goods and Lands are liable upon an *Elegit*.

And see the same *chap. 26. fo. 125, &c.* what Lands or Goods shall be extended or taken by the Sheriff in Execution upon a Statute or Writ of Debt, &c. after Judgment, in the Case of a Common Person.

Nulla bona.

Ad J. B. infranominat nulla habet bona neq; catalla in balliva mea, que **C. P.** infranominat per aliquod pretium deliberari facere possum. *Li. Intr. 261.*

Aliter.

Nulla habet (or **habuit**) bona neq; catalla in balliva mea tempore **Judicij** unde infra fit mentio redditus nec postea.

Or tempore captionis **Inquisitionis** illi nec tunc recuperat pretium.

Or quarto die **Ad. ult.** preterite in brevi specificat quo die idem breve emanabit nec unquam postea. *Ibid. vide Dalt. 232. vide Compleat Sheriff 252.*

The retorn of an *Elegit* where Lands are in the King's Hands.

Iustic infrascripte certifico quod tunc & tene-
ment que fuerunt infranominat **f. B.** eodem die
& anno infranominat quo **Judicium** debi &
Comptum infrascripte redditus fuit tunc
& ad huc existunt in manu **Dñi Regis** in Cur-
sua **Ward & Liberatō** rōne quod **R. B. Gen**
Tenens

Tenens Terrarū & Cestitorū p̄dice adhuc Banc. Reg.
 non est p̄osetue Liberatōnem Terrarū p̄ed'
 extra Cui p̄dice Ideo ad Executōm istius
 brevis p̄cedere non possum put interius
 mihi p̄cepitur. Vide Green. 235.

Retorn of an Inquisition upon an *Elegit*, of
 Lands, Goods and Chattels.

Inquisitio indentae capē apud C. in Com
 p̄dicto (talibus die & anno) coram me G. I.
 Milite Balnei Vic Com p̄dice virtute bre-
 vis d̄ci Dom̄ Regis mihi directe & huic In-
 quisitioni annex' per Sacm̄ J. D. R. R. &c.
 (here insert the Names of all the Jury) p̄robo-
 rum & legalium hominū de balliva mea,
 qui iurāt & onerāt existēd dicunt super
 Sacm̄ suū qd̄ A. S. in brevi p̄dicto no-
 minat p̄dice die captonis hujus Inquisi-
 tionis possessionat fuit de bonis & catallis hic
 postea mentionat ut de bonis & catallis suis
 p̄p̄iis videlt de duodecim Equis p̄cij cu-
 jussibet eorum quinq; libe duabus Equabus
 p̄cij cujussibet earum decem libi triginta
 vaccis mulgibilibus p̄cij cujussibet earū sex
 libi duodecim vaccis cum duodecim vitulis
 p̄cij cujussibet vacce cum vitulo suo octo libi
 trescentis Ovibus matricibus p̄cij cujussibet
 earum decem solis centum agnis p̄cij cujussi-
 bet earum quinq; solidi quadraginta Porcis
 p̄cij cujussibet eorum viginti solis quadragin-
 ta quarteriis tritici p̄cij cujussibet quar-
 terij inde viginti & quatuor solis viginti
 quarteriis Mitrilionis p̄cij cujussibet quar-
 terij inde tresdecim solidi & quatuor denar
 sexaginta quarteriis Hordei p̄cij cujussibet
 quarterij inde octodecim solidi Centum quar-
 teriis

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terijs fabarum equinarum p̄cij cuiuslibet
 quarterij inde duodecim solidi & Centum &
 quinquaginta quarterijs avenarum p̄cij cuiuslibet quarterij inde quindecim solidi (and
 so set forth in particular all the other Goods)
 ad valenciam, &c. Et Juratores p̄dicti ul-
 terius dicunt super Sacro suum p̄dictum
 qd̄ p̄dice N. die redditonis Iudicij p̄dice in
 h̄ybi p̄dice mentonac scilicet die, &c. anno, &c.
 seisse fuit & modo seisse existit in dominico
 suo ut de libero Tenemene in jure Bare ur-
 ozis ejus (que modo sup̄stes & in plena vita
 existit) de & in nno Messuag sive Tenemene
 quadragine Acris Terre viginti Acris Pra-
 ti quinquaginta Acris Pasture & triginta
 Acris bosci cum p̄tid scituac jacent & existēt
 in L. in p̄dicto Com̄ B. modo vel nuper in
 Tenura sive Occupatione cuiusdam C. &
 assignati vel assignatorum suorum clari an-
 nui valoris in omnibus exitibus ultra Me-
 p̄ilas quadraginta librarum ac de & in, &c.
 (and so set forth the rest of the Lands) omnia
 que quidem bona & catalla p̄dice necnon Me-
 dietatem omnium & singulorum Terrarum &
 Tenemene p̄dice per Inquisitionem p̄dictam in for-
 ma p̄dicta compert videt p̄dice Messuag,
 &c. (and so recite the Lands over again as be-
 fore) Ego p̄fac Dic p̄dice die cap̄tonis hujus
 Inquisitionis virtute h̄ybi p̄dice p̄faro Ca-
 rolo in eodem h̄ybi mentonac p̄ rāzonabile
 p̄cium & extantum liberari feci Tenendū bona
 & catalla p̄dice ut bona & catalla sua propria
 Accciam tenendū Medietatem p̄dictam ut libe-
 rum Tenemene suum sibi & Assignis suis iur-
 ta formā Statut in eodem h̄ybi specificat
 quousq; debitum & dampna in eodem h̄ybi
 mentonac plenarie inde levaverit prout h̄y-
 bi illud in se exigit & requirit Et ulterius
 Jurat

Juras p'dice sup Sacram suum p'd die q'd p'd Banc. Reg.
 N. non huit (talibus die & anno) in h'ebi
 p'reb specificat (quo die h'ebe illud emanabit)
 Nec unquam postea aliqua alia s'be plura
 bona s'be catalla in balliba mea Nec habuit
 dicto die redditonis Judicii seu unquam po-
 stea aliqua alia s'be plura Terras s'be Tene-
 mene in balliba mea que extendi & appreci-
 ari possunt ad Poticiam Juratozum p'redice
 In cujus Rei Testimonium, &c. Thef.
 Brev. 93.

Retorn of an Inquisition, upon an *Elegit*, of
 Lands and Rents, where the Rents only are
 delivered for a Moiety.

Inquisitio indentae cape apud B. in Comd
 p'redice (talibus die & anno) coram me M. G.
 Barones Vic Comd p'redice virtute h'ebis
 decd Domd Regis mihi direct & huic Inquissi-
 ton annex' per Sacram A. B. C. D. E. F. G.
 H. I. K. L. M. N. O. P. Q. R. S. T. U. V.
 W. X. Y. Z. p'horum & legalium hominum de
 balliba mea Qui jurati & onerati existentes
 dicunt super Sacramene suum Qu I. D. in
 h'ebi p'reb nominatus die redditonis Judic
 p'reb in eodem h'ebi mentionae scilt (talibus
 die & anno) seisse fuit in domid suo ut de
 feodo de & in Manerio de S. cum pertid in
 Comd p'reb' (here recite the Parcels, and con-
 clude as in other Inquisitions.)

See more *Tit. Extent*.

And see *Clif's Ent.* 877. a long Retorn, and
 Inquisition upon an *Elegit*, with a Petition of
 a *Liberari* into two Counties, and very many
 continuances thereon *per Vic' non misit bre-
 ve, &c.*

And

Banc' Reg.

And note, That it is observed, *Brev. Judic. 78.* That if an *Elegit* be awarded upon the Plea Roll where Judgment is entred, altho^o the Writ is not executed, yet within the Year the Plaintiff cannot change his Execution, if the Sheriff do not Retorn upon the *Elegit*, *qd' Def. nulla habet Terr' neq; Tenem' neq; aliqua bona, &c.* and when this is entred on the Roll, then the Plaintiff may take another Execution at his pleasure, *aliter non.*

Again it is there observed, That if two *Elegits* issue at one time, the Sheriff ought to extend the moiety of the whole Land, and give it to the more ancient Debt, and then the Sheriff ought to extend a moiety of the other moiety, and deliver it to the other, and ought not to deliver a moiety of the whole to one, and the other; as by the Opinion of all the Justices *de Banco Mich. 32, 33 Eliz. in Casu Skinner & Comit' Oxon'.*

Again *pag. 79.* It is noted, That a Judgment being given in the *Common Pleas* against one *Freeman* in his life time, who had before the Judgment acknowledged a Statute Staple and died, and an Extent upon the Statute, and a *Fieri facias* against his Executors, after a *Scire facias* were delivered to the Sheriff of N. at one time to be executed, and *Trin. 8. Jacobi*, it was ask'd of the Court which Writ should be first executed by the Sheriff for the Goods; and it was resolved, that for the Goods the *Fieri facias* should be first executed, for it is matter of Record, and it is the same as if an *Elegit* should come to the Sheriff upon the said Judgment, and an Extent upon the Statute should be at the same time, the *Elegit* shall be executed before the Extent upon the Statute.

Again, *pag. 84.* It is observed, That one

Haw-

Hawkins brought Debt against one *Johnson*, and had Judgment, and the Defendant died, and the Plaintiff sued out a *Scire facias* against the Heir, and the Sheriff retorn'd the Heir to be Ter-tenant, of divers Lands, and the Plaintiff had an *Elegit* of a moiety of the Land, and a moiety delivered unto him, and afterwards had another *Elegit*, and had a moiety of the moiety: And the Sheriff retorn'd upon the last Writ, That the Father *tempore Iudicii fuit seie de Tert in feodo*, and that the Lands descended to the Son. Et qd Tenement in hzevi mentonae insimul valent per annū ultra reppis 52 l. Et ulterius Jue die super Sacmū suū qd pzed' lex Mesuag' in Paroch, &c. sunt & se extendunt ad annual' redditū sive valor 13 l. 6 s. 8 d. ultra reppis Et nos pzed' die certificamus qd tali die & anno virtute cuiusdam alterius hzevis Dñi Regis de Elegit nob' dice die pzo 52 l. deliberabimus M. D. in dco hzevi similiter mentonae dice Mesuag', &c. vocae & cognie in hzevi huic Inquisitioni annex' specificat parcelle tenitoꝝ in hzevi huic Inquisitioni annex' nominat p medietat' omnium pzed' terraꝝ & tenitoꝝ Tenend' pfae M. & Assign' suis ut libum tenent suū juxta formam Statut in humoi Casu edie & pbiis ad annual' redditū sive valenc 26 l. 13 s. 4 d. quousq; dice M. debie & dampna in dco alter hzi de Eleg' spec' inde levaverit Et nos pzed' die ulterius certificamus qd tal' die & anno virtute hzevis huic Inquisitioni annex' deliberabim' pfae M. pzed' lex Mesuag' cum suis pertid' pzo medietat' dict' medietat' omnium pzed' terraꝝ & tenitoꝝ mie extent per pzed' hzeve primo mentonat Tenend' pfae M. & Assign' suis ut liberū tenementū suū juxta formā Statut in hujusmodi casu edie

¶

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*Et pñs ad dict annual reddit 12 l. &c. quousq
 dñs dñ. debet & dampn in hñ huic Sched ammer
 spec leuaberit secund tenor istius bzebis pro
 ut, &c. Vide Rem. de Hill. 12. Jac. lit. O. Et
 libt iudic de eod Term lit D.*

Also in the same Book, *Brev. Judic. Tit. Ex-
 tent. fo. 89.* It is noted, That in *H. 3. Ed. 4. Rot.*
 498. upon an Extent, upon a Statute Mer-
 chant, the Plaintiff pray'd two Writs for par-
 cel of the Debt, one to the Sheriff of *Somer-*
set, and the other to the Sheriff of *Gloucester*
 for the other part. *Et le Dic non misit bzebis*,
 and he pray'd two other Writs to the Sheriff of
Dorset and *Somerset*. See the like Petition &
adjudication of an *Elegit* into two Counties.
Clifs Ent. 877.

That in *Trin. 18. E. 3.* A Purchasor of Land
 brought a Writ of Error, where the Conusee
 had extended two Years before the Day of
 payment.

Also *32 E. 3.* a Grantee of a Reversion
 brought a *Scire facias* against the Commissioners,
 supposing that he had received his Debt by
 reason of certain Casualties, and yet he was
 neither Party nor Privy.

That if one be retorn'd *mortuus*, Then the
 Extent is only, *qñ omnia Terr & Tenita que
 fuer*, and not *de Bonis & Catallis*.

That if *mortuus* be retorned he cannot have
 the Clause *Nihil ominus corpus, &c.*

That if a Lease for Years be extended, and
 delivered to the Extendor, and afterwards upon
 good Title evicted, the Extendor shall not be
 concluded to have a new Extent. *Id. Br. Jud. 89.*

*Que quidem Maneria ego pñsae Dic 10 die
 S. liberari feci pñsae Quer per pñrium &
 Extene pñs Tenend eis ut liberum Tenum
 suum juxta formam Statue pñdice quousq
 debet*

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debic p'dice unacum dampnis mis & custag^{Banc' Reg.}
suis necessar & rationabilibus ut in laborib?
secis dilationibus expens inde levaverit
put per breve illud, &c. See there several o-
ther observations relating to Extents. *Idem*
fo. 90.

Note, That upon an *Elegit* against a Parson,
the Bishop retorn'd, that he had all the De-
fendants Ecclesiastical Goods in Sequestra-
tion towards repair of the Chancel, &c.

Omnia bona Ecclica R. P. Clici Rectoris
Eccleie de G. infra Dioces nram anteqm hoc
breve recepimus Sequestrat fuer tam virtute
cujusdam Prioris brevis regij qm ex Autho-
ritate nostra ordinat ad Cancellar & ad Edi-
ficia dñe Eccleie reparand Cui Niaz deserv-
viend Decimas Dño Regi solvend alias Or-
dinat onera dñe Eccleie supportand Ita ut
virtute hujus brevis debum in eodem men-
sonat aut aliquem inde denar levare ne-
quagm possumus.

Tho. Carl'

It is observed, That upon the *Elegit* the Ex-
tent and valuation of the Lands, and the prai-
sing of the Goods must be by an Equest of 12
Men.

Also the Sheriff is to make Execution by
Meets and Bounds.

And that if Land be in Extent, or already
taken in Execution, and then an *Elegit* com-
eth to the Sheriff at another Man's Suit; yet
the Sheriff may Seize and Deliver the same
Lands again to the last Man upon the *Elegit*,
scilicet, the Reversion thereof, *Tenendum, &c.*
cum acciderit.

Q

Or

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Or else the Sheriff may only extend and value, &c. the Land, and return the same valuation, and shew further that he did not, or cannot deliver the same to the Plaintiff, (or make Execution thereof) for that another had the same in Execution before.

But for the other moiety of the Land which was not extended, &c. to the first Man upon his *Elegit*, the Sheriff may presently seize and deliver the same to any other person upon another *Eleg.* or Execution coming afterwards to the Sheriff's Hands, together with the reversion of the first moiety, *cum acciderit*. See *Dalt.* 32. *Fitz. Ret.* 112.

Nibil or *nulla bona* is a good return upon the *Elegit*. *Fitz. Exec.* 52, 58.

Also the Sheriff may return the Extent for Lands, *Et nulla bona*, or the Sheriff may return the Extent of Goods, and not Lands.

Also he may return *Mandavi Ballivo Libertatis*, &c. *Lib. Intr.* 261, 262.

It is noted, That upon an *Elegit*, the Sheriff delivered the Lands in Execution, without making severance, and upon complaint thereof to the Court, another Writ went to the Sheriff to make severance.

Upon an *Elegit*, for that upon the Inquisition it appear'd, that the Defendant had convey'd his Land to another upon Condition, &c. and yet took the profits, the Sheriff thereupon return'd, That he and the Jury were in doubt, whether the Land were extendable, and pray'd the advise of the Court therein.

And it is further noted, That upon an *Elegit* against one that hath two Manors, the Sheriff may deliver the one Manor to the Plaintiff, in the name of the moiety of all, and is not bound to deliver the moiety of each Manor;
and

and so of two Acres of Land, but this seemeth to be where the two Manors, &c. be of equal yearly value. *Br. Elegit. 14. Dals. Abridg. 145, 146. See Compl. Sb. 252. Green. 192. &c. vide possen. Extent.*

Estrepiement.

It is noted, That the Sheriff by force of this Writ, may resist them which are about to make Wast, and if otherwise he cannot stay, or refrain them from making Wast, he may Imprison them, or make his Warrant to others to Imprison them; and if it be needful, he may take *Passu Comitatus* for his or their aid.

Exigent.

Retorn of a Writ of *Exigent ad Uil.*

Wirtute istius brevis mihi direct' ad Comd meum S. tene apud Castrum W. in Comd S. infrascripte (die, &c. anno, &c.) infranominat' A. B. & alij Def. primo exace fuer' & non comperuer' * Ad Comd meum ibidem tene (die & anno, &c.) pdice A. B. & ceteri Def. infranominat' secund' exace fuer' & non comperuer' ad Comd meum S. ibidem tene die & anno, &c.) pdice A. B. & ceteri Def. infranominat' tertio exace fuer' & non comperuer' ad Comd meum ibidem tene (die & anno, &c.) pdice A. B. & ceteri Def. infranominat' quarto exace fuer' & non comperuer' Et ad Comd meum ibidem tene (die & anno, &c.) pdice A. B. & ceteri Def. infranominat' quinto exace fuer' & non comperuer' Ideo pdice A. B. & ceteri Defendens omnes infranominat' p

* Nec eorum aliquis comperuit, *Dals. 2361*

Banc. Reg.

**Judic J. W. & W. R. Sed Coronae dicti
Domini Regis Comitatus predicti secundum Regem &
consuetudinem Regni Anglie utlagati sunt & quilibet
eorum utlagatus est.**

R. O. Ar. Vic.

Offic. Brev. 197. Wilk. 119. Dalt. 236.
Kitch. 263. b.

Simile inter duos Vic.

**N. Virtute istius brevis mihi directi ad
Comitatus meum B. tentum apud Castrum
W. in Comitatus B. infrascripti (die & annus, &c.)
infrascriptae A. B. primo exerce fuit & non
comperuit. Et ad Comitatus meum ibidem ten-
tum (die & anno, &c.) infrascripte predictae A. B.
secundo exactus fuit & non comperuit.**

R. O. Ar. Vic.

**Istud breve superius indorsatum mihi de-
liberat fuit per R. O. Armig' nuper Die
Comitatus predicti infrascripte prior' Predecessori
meum in ejus Exitu ab Officio suo ut supe-
rius in Dorsio hujus brevis.**

**Ad Comitatum meum ibidem tentum (ut
supra.)**

And if Coroners be wanting, then thus.

**Et pro defectu J. W. & W. R. Coronat Do-
mini Regis Comitatus predicti ulterius inde
prosequi non potui.**

N. W. Mil. Vic.

Kitch. 263. b. Offic. Brev. 197. Wilk. 122.

Upon this Retorn the Coroner will be fined
for every Writ, unless he can make a good ex-
cuse. Dalt. 240. Wilk. 122. vide postea.

Retorn

Retorn Brevis de Exigi facias pro defectu Com'.

ff. Et quia non fuerunt plures Comd inter
did reception huj' b'is & diem Retorn ejusde
* Ideo ulterius ad Executionem ejusdem
procedere non potui prout, &c. Offic. Brev.
199.

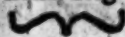
Vel sic: — Per quod nihil actum est ad
presens. — Or Et ideo in Executione istius
b'is ulterius faciend nihil actum est,
Dalt. 240.

Retorn' de Exigi facias cum Superfedeas.

ff. Virtute istius b'is mihi directi ad Co-
mitatū meum ibidem tentum (die & ann, &c.)
infrascripte p'dice J. R. quarto exactus fuit
& comperuit & protulit mihi b'reve Domini
Regis de Superfedeas quod huic b'evi
consue est, per qd ad Executionem istius b're-
vis ulterius faciend superfed omnino prout
mihi in eod b'evi de superfed p'cipie. Offic.
Brev. 198. Dalt. 237. Wilk. 120. Kitch. 264.a.

Exigi facias ubi un' comperuit per Superfed'
Et al' utl.

ff. Ab Executione istius b'is quoad
exigend infranominat A. B. omnino cessa-
bi virtute b'is Domini Regis de Superse-
deas mihi directe quod huic b'evi est annex'.
Sed ad Comd meū R. Tene apud P. in Comd
p'dice 10 die Maij anno 20 infrascripte infra-
nominat C. D. primo exacte fuit & non Com-
peruit, &c. Offic. Brev. 236.



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Allocat. sur breve de Exigi fac.

Allocat quatuor Comd ad quos infranominat A. B. exact fuit & non comperuit ad Comd meum tene apud P. in Comd ptes infranominat A. B. quinto exact fuit & non comperuit Ideo per Iudic. &c. ut ante. Wilk. 121. Offic. Brev. 223.

Aliter.

Allocat illis quatuor Comd ad quos infranominat C. C. exact fuit & non comperuit Et ulterius virtute istius hzebis ad Comd meum tene apud Castrum C. in Comd C. infrascripte (die, &c.) pdict C. quinto exact fuit & non comperuit Ideo, &c. ut ante. Dalt. Offic. Vic. 239. & Offic. Brev. 198. Green. 227.

Retorn' qd' Coron. fuer. absent.

Quarto exact fuit. Et ad eundem Comd J. M. & C. D. Coronatores Dñi Regis Comd pdict solempinter exact non vener Ideo ad Executores hzebis pdict obeoꝝ defect ulterius ibidem procedere non potui. Dalt. 558. 240. Kitch. 264. a.

Pro descen
Com'.

Virtute, &c. Et ad Comd meum, &c. Et qd non fuer plures Comd in Comd pd' tent a die receptonis hujus hzebis usque ad diem retord ejusdem per quod nihil actum est ad ptesens, Kitch. 264. a.

Thac

The New Retorna Brevium.

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Banc Reg.

That there was but one Coroner, who refused to pronounce the Uclary.

Quinto exact fuit & not comperuit Et quia nulli ibidem interfuer Coroni Domini Regis. Com pñt ppter A. B. Coroni Dñi Regis in partibus de S. Qui quidem Iudicium utlagarie in hac parte promulgand' ibidem reddere recusabit Ideo de ulteriozi Executione hzevis pñt per me nihil actum est ad pñsens. Id. Dalt. ibid.

Et p defectu W. B. & R. Coroni Com pñt ulterius procedere non potui. Dalt. 240.

If the Sheriff retorn *reddidit se*, he must have the body in Court at the day of the retorn of the Writ, or else he shall be amerced, except the Party be so sick that he cannot, &c. *Dalt. 237. vide postea.*

It is also said, that upon the retorn with a *Superfedeas* the Sheriff hath been amerced, *Libr. Intr. Tit. Exigent. & Dalt. 237.*

'Tis said the Sheriff upon a *Cap. Utl.* may retorn, that the Party is in Prison upon a Condemnation for Debt. *Lib. Intr. 336. b.* But then its said he must bring him into Court.

Also the Sheriff may retorn that the Party yielded himself to the old Sheriff, who hath not delivered him, *Ibid. & Dalt. 238.*

Ubi unus Supers' breve de Exigi facias Et alteri non Comperuer.

¶ Virtute istius hzevis mihi directi ad Comie meum tent apud Castrum W. in Com S. pñdict (die & anno, &c.) quoad exigend' utla-

Banc. Reg.

utlagans capiendū seu in aliquo molestandū infranominat *A. B.* virtute istius hzebis p̄textu cuiusdam alterius hzebis Dom̄ Regis de Superseas mihi directi & huic hzebi consue Superseas omnino p̄out mihi in eodem hzebi p̄cipitur Et p̄dict *C. D. & E. f.* quinto exact non comperuerunt Ideo per Iudicium Corōm Dom̄ Regis Comit̄ p̄ed p̄elat *C. & E.* utlagat sunt, &c.

R. P. Ar. Vic'.

Offic. Brev. &c. 198. Green. 225.

Retorn' brevis de Exigi fac' ubi unus reddidit se & alteri non comperuer.

N. Virtute istius hzebis mihi directi ad Comitatum meum ibidem tent (die & anno, &c.) *A. B. C. D. & ceteri* defendentes in isto hzebi nominati quarto exacti fuerunt Et p̄ed *A. B.* reddidit se *Prisone* Dom̄ Regis Castri sui *W.* p̄dict cuius Quidem corpus coram Iustic̄ infrascript ad diem & locum infracōtent parat habeo sed omnes ceteri defendent non comperuerunt ad, &c.

R. P. Ar. Vic'.

Offic. Brev. ibid. Dalt. 238. Wilk. 120.

Retorn' brevis de Exigi facias ubi unus supers',
2 reddidit se, 3 mortuus est & quarta waviata est.

N. Virtute istius hzebis mihi directi ad Comitatum meum ibidem tentum die & anno infrascript infranominat *J. H.* & omnes alij defendentes subsequen in isto hzebi nominat p̄ter *C. D.* qui protulit mihi hzebe Dom̄ Regis de Superseas Ideo quoad eum ulterius Exigi faciendū supersedi omnino p̄out in

in dicto hzebi de Superseadeas mihi p̄cipitur. *Banc Reg.*
 Et p̄ter J. B. qui reddidit se Prisonē Dōm Regis Castri sui Winton in Comitatu p̄d'
 cuius quidem corpus coram Justic infra-
 scrip̄e paratum habeo ad diem & locum in
 dicto hzebi contene ad faciend id qd hzebe
 p̄d' exigit & requirit Necetiam p̄ter L. M.
 qui mortuus est, quinto exact fuerunt & non
 comperuerunt Ideo per Iudicium (&c.) Et
 p̄d' H. M. wabiata est in p̄sentia J. W. &
 W. C. Coronat Dōm Regis Comitatus p̄d'.
 Offic. Brev. 198. Wilk. 121. Dalt. 239. Kitch.
 264.

Upon the *Exigent* the Sheriff retorn'd, that
 the Party was dead, and it was doubted whe-
 ther it were a good retorn; and others held it
 not good, for the Sheriff is to call the Party
 from County to County to appear, &c. and if
 a Man in such Case be outlawed, his Heir may
 assign it for Error. *Vide Br. 125. Li. Int. 336.*
Fitz. Ret. 104. &c. Dalt. 239.

Languidus in Prisona retorn'.

Ad Com̄ meum, &c. p̄d' J. B. comperuit
 & se reddidit Prisonē Dōm Regis Castri sui
 C. infra Com̄ p̄lat & in eadem Prisona
 modo remanet Languidus Variis Infirmi-
 tatibus detent ita qd p̄pter corporis sui de-
 bilitat & mortis periculum curari non po-
 test Et ea de Causa corpus p̄d' J. B. coram
 Justic infra scrip̄e ad diem & locum infracon-
 tent ad p̄sens habere non possum juxta for-
 mam hujus hzebis. *Fitz. Ret. 94. & Lib. Intr.*
335, 336. Dalt. 239. Wilk. Lat. 221. Kitch.
264. b.

Where

The New Retorna Brevium.

Where the Sheriff is removed.

Et quia non fuit aliqua al Cui Cond pced
dum Die ejusdem Cond remansi Ideo ad ul
teriozem prosecutionem istius hzevis procedere
non potui.

A. B. Ar. Vic.

Green. 227.

Reddidit se super breve de Exigi facias

It. Ad Cond meum H. tene apud, Ec. in
franominac M. B. primo exact' fuit & non
comperuit Et ad Cond meum H. tene apud
M. in Cond pdice p M. B. secundo exact' fuit
& comperuit & se reddidit Prisoni Domini
Regis de M. Cond infrascripte sub Custodia
mea, Cujusquidem M. B. corpus eozam Ju
dic infrascripte ad diem & locum infraconten
taras habeo secund' Exigenc istius hzevis.

Offic. Brev. 236. Kirch. 264.

Retorn of a Writ of a Proclamation upon
an *Exigent*.

Virtute istius hzevis mihi direct' ad Cond
meum tene apud Castrum C. in Cond C. in
frascripte 21 die Martij anno 19 infrascripte
primo Procl feci Et ad General Session pa
ris tene apud Castrum C. pdice in Cond
p 30 die Apr anno 20 supradice secundo
Proclam feci Et ad maxime usual officium
Ecclie de B. infrascripte super diem Domi
scilicet 10 diem Maij anno regni Dni Regis
infrascripte Angl, Ec. 20 immediate post divi
num Servic nulla predicatio in eadem Ec
clia adtunc & ibidem existend uno mense ad
minus

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minus antequam infranominat J. S. quinto
erace fuit, Tertio Proclam feci quod infrano-
minat J. S. se reddat mihi prout interius
mihi descripte.

Banc Reg.

W. W. Mil. Vic.

Dalton. Offic. Vi. 241. Wilk. 122. Kitch. 265. a.
Green. 226.

Aliter.

Veritate istius Brevis mihi directe ad Com-
mum tene apud C. in Com C. infra-
scribe die Jobis 21 die 99. anno regni Dni Regis
infra-
scribe 20 primo Proclamari feci Et ad
General Session pacis tene apud C. in dco
Com in partibus de 99. infra-
scribe) die Jo-
bis scilicet 3 die Octobris anno 20 Dni Regis
infra-
scribe secundo Proclam feci Et ad max-
ime usual ostium, Et. (ut supra) tertio pub-
lice Proclam feci Quod J. S. & ceteri omnes
Defendentes infranominat se reddant infra-
scribe Die Ita quod idem Die habeat corpora
eorum coram Justic infra-
script ad diem & lo-
cum infracontene prout istud breve in se exi-
git & requirit. Vide Dalt. 241.

And see there concerning the return of a
Writ de banis restituendis after Exigit.

Aliter.

Per Regem, vide Proclam in Banc Et vis
Kitch. 265.

Retorn' de Exigent in London'.

Ad Huse de Coibus Plitis tent in Guild-
hald Civit' London die Lune prox' ante fe-
stum Scti D. anno 30 regni Regis infra-
scribe

Banc. Reg.

Wript infranominat J. S. primo exact' fuit & non comperuit ad Hui' de Communib' Placitis Cent' in Guibald die Lune prior' ante Fest' Ste P. Virginis anno supradicto p'dict' J. secund' exact' fuit & non comperuit ad Hui' de Communib' Placitis Cent' in Guibald pzed' die Lune prior' post festum visitat' bte Marie Virg' anno supradicto infranominat J. tertio exact' fuit & non comperuit ad Hui' de Communib' Placitis tene in Guibald pzed' die Lune prior' ante fest' Sti Jacobi apostoli infranominat J. quarto exact' fuit & non comperuit ad Hui' de Communib' Placitis tene in Guibald p'dict' die Lune prior' ante festum (Ec.) infranominat J. quinto exact' fuit & non comperuit Ideo (sc. ut in al.)

Respons.

A. B. & C. D. Vic'.

And if the Sheriffs go out of Office before the Retorn, then thus:

Istud brebe prout superius indoꝝ nos subnominat nunc Dic' recepimus de p'lat' nuper Dic' in eoꝝ erit' ab Officio suo.

Respons.

J. C. Ar' & R. H. Ar' Vic'.

Vide Thes' Brev. 110.

Extent.

Vide ante int' Brevia de Canc' & Scacc' se-
peral' Retorn' inde. *Vide Wilk. Lat. 137. & vide ante tit. Elegit.*

Extent' versus Executorem.

N. Ac de & in Retozia de Ashfoꝝ cum per-
tin' seperat pec' terre glebat continen' per e'
estima-

firmationem quadraginta Acres sive plus sive minus & decimis omnium granorum & feni obventionem commoditatis & proficuius quibuscumque quolibet anno provenientem crescentem surgentem & renovandam infra Parochiam de Althorpe p'dice modo vel nuper in tenura sive Occupatione Abrahami J. clari annui valoris in omnibus exitibus ultra rep'is 10 l. Vide Offic. Brev. 223.

An Annuity extended.

Fuit scilicet in dominum suo ut de libero testamento p' termino vite sue de una Annuitate sive annuali redditu 20 l. exequendo de, &c. ad festum, &c. per equales portiones solvens, &c. Dalt. 557.

De Recogit extra Canc. Wilk. 138.

Retorn of Extent *sur* forrein Voucher.

Qui dicunt super Sacramentum suum quod Tenementum p'dice valent per annum in omnibus Exce- juxta verum valorem eorundem 20 s. In cuius rei testimonium, &c. Brev. Judic. 93.

And there 'tis observed, That the Grand Cape *ad Valenciam* shall not Issue before the Extent be retorn'd and served.

Retorn of Extent to the County Palatine of
Lancashire.

Responsus R. S. Mil Cancell Dno Regine Ducal sui Lanc.

Virtute istius brevis mihi directe per h're e Dne Regine mandari feci Die ejusdem Com- puti interius mihi precipie qui sic mihi re- spond.

J. H.

Banc Reg.

W J. M. De Die, infrascriptæ M. non est
indens in balliba mea, restit vero Executonis
istius hiebis patet in quadam Inquisitione
huc hiebi annex?

Item ff. Inquisito, &c. Brev. Judic. 93, 94.
A Fee Farm Rent extended. *Vide Dals. Offic.*
Vic. 557.

'Aliter sur Extent' de Tribus Partibus Dimis-
sion' in septem Partes divis. pro Termin' 43
annorum. *Brev. Judic. 264.* eciam Nulla bona
& liberari fec' Dimiss'.

Aliter.

Que quidem bona & catalla videlicet p'dict
terminis sive interesse p'dice trium annorum
valoris 40 s. ac vestri blay & segie Angl the
Crop of Corn and Grain, videlicet tritici fligi-
nis & avenarū, &c. & p'dice valor 10 l. ac me-
dietae terrarū & tenetū p'dice cum p'dict vide-
licet, &c. Ego p'dice Die p'dice tali die & and
ule pertie liberari feci p'fat A. p' precium
& extent p'ed' tenend sibi bona, &c. *Vide*
Brev. Judic. 267.

Aliter.

Et qd p'dict W. die captonis Inquisitionis
p'ed' fuit possessionae de uno Messuag', &c.
ex dimissione & concessione quorundam (&c.)
p' diversis annis adhuc ventur & inexistat si
tam diu vixerit Et ulterius (&c.) Qd p'dict
C. die captonis, &c. fuit in plena vita & qd
interesse & terminus annorū p'dict W. de &
in Messuag', &c. clare valet juxta verum va-
lorem ejusdem 20 l. Et ulterius, (&c.) Qd
p'dict C. nulla al' sive plura bona seu catalla
neq

neq; aliqua terr' seu resita omnino in Comd C. Banc. Reg.
p'dia' habuit die redditus Judicii vel unquam
postea quo, &c. Quod quidem interesse & ter-
minu' annoru' p'dia' W. de & in p'res p'ssuag'.
&c. Ego p'fat' Dic die capto, &c. p'fat'
quet liberari feci per p'cium & Extent' p're-
tenend' sibi & Assign' suis ut bona & caralla
sua p'p' in parte sua de p'res parte p'out, &c.
T. 8. Jac. Rot. 1914. Vide Bre. Judic. 267.

Ites further there observed to this effect:

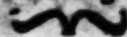
Hill. 1 Jac. Rot. 1801. See in the remem-
brance, *Trin' primo Id' Brown' Litera B.*
Cognus inter Markez & Tull. Seisin deli-
vered of a Reversion, and of a moietie of
Rent also.

Hill. 1 Jac. Rot. 1211. See in the remem-
brance of the same *Term' Litera D. Retorn'*
de Archiepisc' qd' liberari fec' quet' terr' &
tenement' Ecclesiastica Clerici in Dioces' sua
videst, &c. Brev. Judic. 268.

Retorn' Extent' de bonis mobilibus & qd'
Def. est Clericus.

Justic' infrascript' certifico qd' infranomi-
nat' W. S. nulla habet bona neq; caralla mo-
vabilia in balliva mea unde debum' infra-
script' aut aliquid inde parcelle fieri possum
Et ulterius Justic' infrascript' certifico qd'
infranominat' W. S. Clericus est beneficiat'
in Dioces' Eborum scilicet apud H. infrascript'
Et qd' ipse null' habet Laicum sedu' in balli-
va mea. Brev. Judic. 94.

Aliter.



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Extent retorn for Recogn' on Stat.

Cepi Corpus.

Virtute istius brevis mihi direct' Cepi corpus infranominat W. W. cujus quidem corpus ad diem & locum infracontent' parat habeo prout interius mihi precipit, Dalt. 233.

Non est inventus.

W. W. infrascript' non est invent' in balliva mea, Et ulterius certifico qd seiski feci in man' Dni Regis Maner de, &c. cum pertind in Inquisitione huic brevi consue' tpec prout interius mihi precipit. Li. Inter. fo. 598.

Resid' Execuc patet in quadam (or pzed') Inquisitione huic brevi annex'.

A. B. Ar. Vic'.

Dalt. ut supra.

Inquisito, &c. In cujus rei Testimonium, &c. Ibid. & 234.

Aliter.

J. W. infrascript' non est invent' in balliva mea ideo ipsum capere non possum ad pzelens. Sed quoad extens & appzelans om' terras & catalla ipsius J. W. iuxta formam istius brevis Execuc inde patet in quadam Inquisitione huic brevi consue' Que quidem terr' & catalla in dca Inquisitione content' in manus Domini Regis seiski feci. Dalt. ibid.

Aliter.

A. B. Infranominat non est inventus in balliva mea Et ideo virtute hujus brevis mihi

mihī direct' extendi & appreciari feci omnia
terra & tenita bona & catalla p'ed' in dca bal-
liva mea Que quidem Extent hūc brevi est
anner' ac etiam omnes terras & tenita p'ed'
in eadem Extent' specificat' unacum damp-
nis & custag' suis rasonabilibus levavi juxta
formam Statut' inde edit' & p'obis & secund
formam hujus brevis. Ibid. & Reg. 146.

It is also noted, That where the Sheriff re-
turned, that he hath extended the Land, and
shall not retorn further, that he hath delivered
the same to the Plaintiff, 'twas moved he
should be amerced. *Fitz. Exec. 37. 38. & Schre-
fac. 117. Dalt. 234.* yet its said he is not to de-
liver them till the *Liberate* cometh to him. *Vide
Dyer 67.*

Upon an Extent on a Statute Staple, the
Sheriff retorn'd the Extent of the Lands, and
not of the Goods, and yet good. *Br. Tra. 438.*

The Sheriff it is said may retorn, that the
Defendant had nothing the day of the Recog-
nizance made, but that he had purchased Lands
after that time. *Terms del Ley tis. Elegit.*

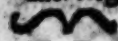
Also he may retorn non est inventus nec ha-
bet bona nec terras.

Or the Sheriff may find, *Nulla terra si non jure
propris que superbiuit*, or that the Conusee
hath purchased the Land after the Recogni-
zance. *Dalt. 234.*

The Sheriff returned, That none came to re-
ceive the Land. &c. *Li. Intr. 596.*

The Sheriff returned upon an Extent sued
by two, that one of the Plaintiffs was dead
and buried. *Fitz. Execuc' 38. Li. Intr. 595.* or
he may retorn the *Conusor mortuus*. *Id. 97.
Dyer 299.*

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 The Sheriff retorn'd, That he had no Land but in Ancient Demefne. *Fitz. Ret. 109. Dalt. 234.* Yet its made a Quzre upon, 7 H. 7. fol. 10.

He may upon a Statute Merchant or Staple retorn that the Debtor is a Clerk. *Dalt. 235.*

But if upon a Statute Merchant, he returneth *qd hzebe tarde venit*, or that he directed it to the Bailiff of some Franchise, some hold he shall be punish'd, but tis a Quzre, and referred to *Lib. Intr. 595.* where 'tis so retorn'd.

Also upon this Writ the Sheriff may retorn, that he cannot make Execution, for that another hath those Lands in Execution by force of an *Elegit*, or that another is in by Discent; for that they are not to be put out of Possession without a *Scire facias*. *Fitz. Ret. 112. Execuc. 97. Vide Green. from 182 to 192.*

Fieri Facias.

Fieri feci retorn'd.

Virute hujus brevis mihi direct' fieri feci de bonis & catallis infranominat' A. B. sumam 80 l. quos quidem denar coram Dno Rege ad diem & locum inframentonat' parat' habeo ad reddend' infranominat' C. D. pro Debo & Dampn' suis infraspex put per hoc breve mihi pcepitur.

R. S. Ar. Vic.

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Part levied and *nulla bona al resid.*

Virtute, &c. (ut ante usque) ad reddend infranominat **C. D.** in parte debi & dampn suor infrascript Et ulterius dco Dno Regi certifico qd pdict **C. D.** nulla al vel plura habet bona & catalla in balliva mea unde ad presens fieri facere possum resd Debi & Dampnor pdict secund exigent istius brevis. Vide Green. 234.

R. S. Ar. Vic.

Aliter Retorn' de Fieri fec' parcell.

N. Virtute istius brevis mihi directi fieri feci de bonis & catallis infranominat **M. B.** 20 l. 10 s. parcell dampn infrascripte quis quidem denat ad diem & locum infracontene parat habeo ad reddend **M. B.** put interius mihi precipitur. Offic. Brev. 264.

R. P. Ar. Vic.

Aliter ubi Vic' Fieri fecit partem debiti & dampn.

N. Virtute istius brevis mihi directi fieri feci de terris & catallis infranominat **C. D.** decem libras parcell debiti & dampnor infrascripte Et denat ill coram Justie infrascripte ad diem & locum infracontene parat habeo ad reddend infranominat **C. D.** prout interius mihi precipitur.

Et ulterius certifico qd pdict **C. D.** non habet ulla alia sibe plura terras seu catalla in balliva mea unde resid' debiti & dampnor infrascripte ullo modo fieri facere

Banc. Reg. cere possum prout interius mihi precipi-
tur. Offic. Brev. 227.

T. B. Ar. Vic'.

Aliter.

N. Virtute, &c. de bonis & catallis infra-
nominat **B. P.** in balliva mea Fieri feci
quinq; libi quos quidem denar coram Justie
infrascripte ad diem & locum infracontene pa-
rat habeo ad infranominat **F. C.** solvend &
reddend in partem satisfactionis debiti &
dampnoi inframenconat Et pdice **B. P.** nul-
la alia sive plur habet bona aut catalla in
balliva mea de quibus resis debiti & damp-
noi sive aliquam inde parceliam fieri sa-
cere possum, Ibid.

T. B. Ar. Vic'.

Fieri feci.

N. Virtute istius hzebis mihi directe de bo-
nis & catallis infranominat **A. B.** in balli-
va mea Fieri feci decem libras infrascripti-
cat Et denar ill parat habeo coram Domin
Rege infrascripte ad diem & locum infracon-
tene ad reddend infranominat **C. D.** prout
interius mihi precipitur. Offic. Brev. 227.

M. L. Ar. Vic'.

Aliter.

Virtute istius hzebis mihi directe Fieri feci
infrascripte 10 de bonis & catallis infrascripte
A. B. quas quidem 10 l. coram Justie in-
frascripte ad diem & locum infracontene pa-
rat

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rac habeo prout istud hzebe in se erigit & Bane Regi
requirit. Dalt. 244

Aliter.

ff. Virtute istius hzebis mihi directe Fieri
feci de bonis infranominat A. B. debm &
dampna infrascripte Et denar ill coram Ju-
stie infrascripte ad diem & locum infracon-
tene parae habeo prout interius mihi pre-
cipitur. Offi. Br. 227. & Dalt. 245.

Fieri fac' ubi bona reman' invendit' pro de-
fectu emptor'.

ff. Virtute, &c. Fieri feci unam equa duas
Jubencas & viginti obes matrices de bonis
& catallis infranominat A. C. precij debie &
dampnor infrascripte que quidem bona & ca-
talla penes me remanent invendit' pro defectu
emptor Ideo denar ill coram Domino Rege
infrascripte ad diem & locum infracontene ha-
bere non possum prout interius mihi preci-
tur. Ibid. & Brev. Judic. 255. Vide postea.

Fieri facias ubi Vic' Mandavit Ballivo qui
Fieri fecit.

ff. Virtute, &c. Mandavi Ballivo Johis
B. Ne libertatis sue de Ashford qui plenum
habet retord omnium hzevium & Execution
eor infra libertatem pdict Cui executio isti-
us hzebis totalie pertinet faciend extra qud
libertatem nulla Executio inde per me fieri
potest qui quidem Ballivus mihi retornavit
qd virtute cujusdam Warrane mei inde di-
rect' Fieri fecit de bonis & catallis infrano-
minat A. B. debum & dampna infrascripte

R 3

Et

Banc. Reg.

Et denar ill coram Justic infrascripte ad diē
 & locum infracentene parae habet put per
 Mart meum p̄dica ei p̄cept fuit. Id. Offic.
 Brev. 228. vide Fitz. Execuc. 191.

Where there be divers of one name.

Justic infrascripte certifico Quod sunt diverse
 persone in Cond meo, nobis & cognominis J.
 S. videlicet J. S. de B. J. S. de C. & J. S.
 de W. Et q̄ non continet in isto b̄ve de
 cujus p̄dice J. S. bonis & catallis denar in-
 fraspec fieri facerem Ideo ad Execucionem
 istius b̄vebis p̄cedere non potui. Dalt. 245.

Fieri fecit, & partem vendidit, al' reman' ob
 defect' emptorum.

Virtute, &c. P̄dicti feci de bonis & catall
 teri & renemene infranominat A. B. ad ha-
 bene 200 l. & ill' de die in diem venditionē
 exposui & inde vendidi ad valene 100 l. quas
 quidem 100 l. ad diem & locum infracentene
 parae habeo ad reddend infranominat J. W.
 put ulterius mihi p̄cipie Et resid' bonorū
 & catallorū p̄dice ad huc penes me remanent
 ob defect' emptorū. Dalt. 246. Wilk. 130. Compl.
 Sheriff 227.

Aliter.

Virtute istius b̄vebis Cepi bona & catalla
 A. W. infraspec ad valene omnia denar infra-
 scribe Et ill' venditionē exposui Ad quod non-
 dum inveni emptores Et ideo denar infra-
 spec habere non possum ad diem & locum in-
 fracontene put mihi p̄cipie. Id. Dalt. 246.
 Comp. Sheriff, 228.

Aliter

Aliter & null' al' bona, &c.

Dicite, &c. Capi bona & catalla infra-
script' R. W. ad valenc 4 l. de infra-
scripte 8 l. que bona & catalla penes me remanent
in vendit' pro defectu emptorū. **Adhuc p'dict' R.**
W. nulla alia nec plus bona seu catalla nec
aliqua terra seu tenement' habet in balliva
mea unde resis p'dict' 8 l. seu aliquam inde
partem ad p'elens fieri facere possum. Ibid.

Aliter sur Capi in manus Dni' Regis qd' bona,
&c. reman' in vendit' sed de die in diem vult
exponere, &c.

Adhuc illa bona & catalla que nuper de
bonis & catallis firm' Occupat & Tenement'
Manerij de W. ad valenc 10 l. in manus
Dni' Regis capi p' defectu emptorū reman' in-
vendit' Sed de die in diem venditioni exponam
& de denar' indi p'beniend' qm' citius potero
vobis respondebo. Ibid.

Qd' vendidit bona prius Capt. & Fieri fecit re-
sid. & tot. parat' habet.

Virtute, &c. vendidi bona & catalla infra-
script' p' me prius capt' accetam fieri sec' de
bonis & catalla R. S. infranominat' resis de-
bit' infracontent' ita qd' omnes denar' ille pa-
rat' habeo coram Dño Rege ad diem & locū
infracontene infranominat' D. W. solvend'
put' interius mihi p'ecipitur, Ibid.

Fieri fac' pro parte & devast' pro resid'.

Virtute istius brevis mihi direct' de bonis & catallis que fuer infranominat' P. C. ted mortis sue in manibus T. C. Executricis Testid' p'dict' P. existend in balliba mea fieri feci 23 l. & 9 d. parcell' debi infrascript' Et denar' ill' ad diem & locum infracentent' parat' habeo. Et ulterius certifico qd p'dict' T. in vita sua devastabit & consumpsit bona & catalla que fuer p'dict' P. ted mortis sue ad valenc' resid' debi & dampnoz. infrascripte que debent & manus suas administrand Et qd eadem T. ted mortis sue nulla huit bona seu catalla sua p'p' Unde dampna infrascript' aut aliquam inde parcell' fieri facere potui, put per istud breve mihi precipitur.

Alier secundum, Dale. 245.

Virtute, &c. Fieri feci 100 s. de bonis & catallis infranominat' W. H. quos quidd' 100 s. coram Justic' infrascript' ad diem & locum infracentent' parat' habeo p'p'out, &c. Et ulterius eisdem Justic' certifico qd Executori infrascript' bona & catalla infranominat' W. H. Testator penitus devastaver' sic qd sumd 10 Marcar' infrascript' nec aliquam inde parcell' fieri facere non possum.

Alier secundum Thes. Brev. 117. nulla bona sed Devastavit.

Infranominat' R. W. nulla het bona seu catalla que fuer infranominat' R. W. ted mortis sue in manibus suis administrand in balliba nostra Unde dampnd infrascript' aut aliquam

aliquam inde parcell fieri facere possumus. Banc Reg.
 sed diversa bona & catalla que fuer p̄dicti R. post mortem p̄dicti R. sed mortis sue ad valenc dampn infrascripte ad manus p̄dicti R. post mortem p̄dicti R. Administrandi debent que quidam bona & catalla p̄dicti R. elongabit devastabit & in usum suum p̄p̄e convertit.

Aliter ad valenc' debiti & dampn'.

Virtute istius brevis mihi direct' Dño Regi certifico qd bona & catalla que fuer infranominat' F. C. sed mortis sue ad valenc' debiti & dampn' infrascripte post mortem p̄dicti F. C. infrascripte J. B. debent administrandi Ac qd idem J. ante advent' hujus brevis mihi ut p̄ferre directe devastabit & ad usum suum p̄p̄e convertit & disposuit bona & catalla illa per quod debm & dampna p̄dicti aut aliquam inde parcell fieri facere non possumus. Thes. Brev. 125.

Ubi Superfed' pervenit ad Vic'.

Ante advent' p̄dicti brevis.

ff. Justic Dñd Regis in brevi huius Schedul annex' ad diem & locum in brevi illi contentene certifico qd ante advent' istius brevis mihi directe breve Dñd Regis de Superfed' ad manus meas pervenit Tenor' cuius quidem brevis sequitur in hec verba (videlicet) Carolus secund' Dei gra, &c. Ratione cuius ad Executionem dicti brevis p̄mo superius mentionat' procedere non potui prout per idd breve mihi p̄cipitur. Offic. Brev. 225. vi de postea.

T. B. Bar. Vic'.

Fieri

Fieri feci pro parte Rescuss² pro al¹ parte.

R. Virtute istius hzebis mihi direto cepi in manus meas de bonis & catallis infra nomina¹ J. N. ad valentiam undecim librar¹ quas quidem 11 l. aut aliquam inde parcel lam coram Dño Rege ad diem & locum in hzebi p^{re}dict¹ contene¹ habere non possum.

Et ulterius certifico q^{uod} p^{ro} ulterio^{ri} Execu^{ti}one hzebis ejusdem & ante Retord ejusdem feci quoddam Warran¹ meum cuidam J. G. ballibo meo q^{uod} de bonis & catallis p^{re}dict¹ J. N. in balliba mea fieri fac¹ res¹ debiti & dampno¹ in hzebi p^{re}dict¹ specificat Qui quidem ballibus meus virtute dicti Warran¹ ei direte & ante retord ejusdem scilicet nono die febr¹ anno regni dicti Domini Regis nunc octavo apud Parochia¹ omnium Sancto¹ in Hundred de H. in Com¹ p^{re}dict¹ cepit in manus suas diversa bona & catalla p^{re}dict¹ J. N. ad valentiam viginti librar¹ & eadem bona & catalla in Custodia sua ad¹ runc & ibidem habuit super quo quidam R. W. de Parochia omnium Sancto¹ p^{re}dict¹ Yeoman postea scilicet p^{ro} nono die febr¹ anno octavo sup^{ra}dicto Vi & armis videlicet baculis gladiis & cultellis in p^{re}dict¹ ballibum meum apud Parochiam omnium Sancto¹ p^{re}dict¹ insule fecit & ipsum verberavit vulneravit & maletrattavit Et p^{re}dict¹ R. W. eadem bona & catalla in Custodia mea occasione p^{re}dict¹ ut p^{re}fertur existend¹ a Custod¹ mea ad¹ runc & ibid¹ cepit & rescuss¹ contra voluntate dicti ballibi mei.

Et ulterius certifico quod p^{ro} J. N. nulla alia sive p^{lu}r¹ habet bona seu catalla in balliba

ba mea und resid debie & dampn p̄d aut ali- Bar. Reg.
quid in p̄cella fieri facere possum.

Offic. Brev. 226. vide postea Rescuss.

T. S. Ar. Vic.

Fieri feci pro p̄cell' & reman' invendit'.

N. Virtute, &c. Cepi bona & catalla infra-
scribe **N. B.** ad balensam ducentar & sex li-
brar p̄cell' debiti & dampnor infrascripte
que bona & catalla penes me remanent in-
vendit pro defectu emptor Et ulterius, &c.
qd p̄dice **N. B.** non habet, &c. Id. 228.

Fieri feci versus Administrat' pro p̄cell'.

N. Virtute istius brevis mihi direce & huic
Schedule annex' Justie Dñi Regis in eodē
brebi mentionat ad diem & locum in eodem
brebi content' certifico qd fieri feci de bonis
& catallis que fuerunt **C. H.** in brebi illo
nominat' tempore mortis sue in manibus **S.**
D. in eodem brebi nominat' administrans in
balliva mea existē octogine libr' p̄cell' de-
biti & dampnor in brebi p̄dice specificat
quas quidem octogine libras coram dicto Do-
mino Rege parat' habeo ad reddend' **f. D.** in
dicto brebi nominat' in partem satisfactō
debi p̄dice secund' tenorem brevis ill' ac etiam
certifico qd p̄dice **S. D.** nulla habet al' sive
plura bona seu catalla in balliva mea que
fuer p̄dice **C. H.** tē mortis sue in manibus
suis administrans.

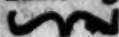
Et ulterius certifico qd p̄d **S. D.** nulla
habet bona seu catalla p̄ter in balliva mea
unde dampn in brebi p̄dice spec' aut aliquod
inde p̄cell' fieri facere possum.

Offic. Brev. 228.

T. B. Ar. Vi.

Aliter

Banc. Reg.



Aliter ubi Superfed' Vic'.

Quoad fieri fac denar' infrascripte virtute
cujusdam brevis Dñi Regis de Superfed'
mihi direct' omnino Superfed' quod quidem
breve de Superfed' huic brevi annex' vobis
mitto Et ulterius certifico qd dice J.C. non
aliqua alia vel plura bona seu catalla terras
seu ten'ta in eadem balliva mea habet Unde
denar' aliquos ad p'sens levare possum, &c.
Dalt. 246.

Aliter sur null' habet bona, &c.

Infranonimac R. B. nulla habet bona seu
catalla teri aut ten'ta in balliva mea unde de-
nar' infrasp'c fieri facere possum, put inter-
ius mihi p'cipit'.

Aliter.

Infranonimac R. B. nulla habet bona, &c.
de quibus denar' infrasp'c aut aliquam inde
parcell' possum levare p'out interius mihi
p'cipit'.

Aliter.

Infranonimac R. B. Nihil habet in bal-
liva mea, unde debum & dampn' infrascripte
aut aliquem inde denar' fieri facere possum
secund' exigenc' hujus brevis. Vide Dalt. 247.
Wilk. 130. & Greenw. 231.

It is there noted in *Dalton*, That if the *Fieri*
facias be duly executed, and the Plaintiff satisf-
fied, the Sheriff needeth not to return the Writ.
Also

Also, that upon a *Fieri facias* the Sheriff may ^{Banc. Reg.} sell a Lease for Years, and yet never make any mention thereof in his Retorn, but to retorn generally qđ *fieri fecit de bonis & catallis*. 4 Co. 74. b.

That upon a *Fieri facias* against J. S. who dieth before Execution, the Sheriff may levy the Execution of the Executors or Administrators of J. S. Dyer 76. 363.

Aliter.

N. M. infrascripte nulla habet bona seu catalla infra ballivā meā de quibus Executoꝝ istius h̄rebitis facere possum put. &c. nec aliqua terr̄ seu tenita h̄uit infra eand̄ 5 die J. nec unquā postea put patet in quadam Schedul̄ huic h̄rebiti consue. Dalt. 247.

The Sheriff cannot retorn *Nil habet*, where Assets are found by a Jury.

Also a Sheriff must Retorn directly qđ *Nil habet* or non habet aliqua bona in balliva sua, and not put ei aliquo modo constare poterit. Id. Dalt. 247.

Retorn' Fieri fac' ove Scire fac' si constare poterit, ubi nulla bona Testatoris, & qđ Administrat' elongavit, &c.

Infranominat' M. T. nulla habet bona seu catalla que fuer̄ infranominat' J. T. sed mortis sue administrand̄ in balliva nostra unde debite & dampna infrascripte aut aliquam inde parcelle fieri facere possumus Et nulla habet bona seu catall̄ sua pp̄ in balliva nostra unde dampnū pdice aut aliquam inde parcelle fieri facere possumus pdice tamen M. post mortem

Banc. Reg.

mortem pdice J. diversa huit bona & catalla que fuer' ejusdem J. ted mortis sue in manibus suis administrand' ad valenc' debi & dampn' infrascripte Que quidem bona & catalla pdice M. postea & ante advene nobis hujus brevis vendidit elongavit vel in usum suum ppe convertit put p quandam Inquisitionem sup Sacrm p'oboz & legalid' homin' de balliva nostra in hac parte coram nobis virtute hujus brevis cape & eidem brevi annex' nob constabat Et ulterius pdice M. nihil habet in balliva nostra unde ei Scire facere possumus nec est inven' in eadem.

Respo Executonis hujus brevis patet in quadam Inquisitione huic brevi annex'.

Respons'.

T. S. & J. G. Vic'.

Inquisito indentat & cape tali die & loco p Sacrm J. f. J. C. &c. qui dicunt super Sacrm suu qd M. L. in dco brevi nominat Admin' bonoz & catalloz que fuer' J. L. in dco brevi nominat ted mortis sue post morte ejusdem J. diversa huit bona & catalla que fuer' ejusdem J. ted mortis sue in manibus suis administrand' ad valenc' debi & dampnoz in dco brevi contene Que quidem bona & catalla pdice M. postea & ante diem capcon hujus Inquisito vendidit elongavit vel in usum p'opri convertit. In cujus rei Testimonium tam Dic qm Jur apposuer' sigilla. Vide Brev. Judic. 64, 65.

Fieri feci, &c. quandam Dimissionem, &c.

Virtute, &c. Fieri feci, &c. quandam Dimissionem & Concessionem eidem J. H. per quandam C. G. p Indentur suam facit de & in

in uno Messuagio, &c. scituac, &c. infra bal-
libam meam Et p̄dice Dimissionem ac omne
& totum jus statum titulum terminū annoꝝ
& demand que p̄dice J. B. modo habet de &
in p̄dice p̄missis virtute ejusdem dimissionis
vel aliter venditōem exposui & vendidi cuidam
P. B. Sed p̄ sum 76 l. 13 s. 4 d. Neciam
fieri feci de aliis bonis & catallis p̄dice J.
B. ad valenc 65 l. 6 s. 8 d. quas quidem
denar sumas sic in forma p̄dice per me lebat
in toto se atting ad sumam 142 l. Et ean-
dem sumam coram Dño Rege ad diem & lo-
cum infracentene parat habeo ad reddend in-
francominat C. P. & J. Hr' ejus in parte sa-
tisfactōem dampnōꝝ infrascripte put p̄ breve
istud interius mihi p̄cipitur Et q̄ p̄dice J.
B. nulla alia sive plura bona aut catalla in
balliba mea habuit unde resid p̄dice debet
145 l. 6 s. 2 d. fieri possum secund exigenc
hujus brevis.

A. B. Ar. Vic'.

Vide Dalt. Offic. Vic. 244. Wilk. Lat. 129.

Aliter secund' Greenw. 234.

Virtute istius brevis mihi direct' de terris
& catallis infrancominat A. B. Cepi videte
und Messuag cum p̄tid in C. in Comd meo P.
modo in tenui cujusdam C. D. quod p̄dice
A. B. tempore captōem ejusdem tenuit sibi &
Assign' suis p̄ quodam terminū annoꝝ qui
nondum p̄terit ex dimissione concessione vel
assignatōne cujusdam A. B. ad valenc 10 l.
que quidem teri & catall' adhuc reman in-
vendit in manibus meis p̄ defectu empto-
rum Rōne cujus eisdem denar coram Justic
infra mentōnat ad diem & locum infracen-
tenc

Banc Reg. tent' habere non possum Ad reddend infranominat' C. D. p'nt interius mihi p'cepit.
 R. S. Ar. Vic'.

Fieri feci parcell' vers' Exec'.

N. Virtute istius b'revis mihi directe fieri feci de bonis & catallis infranominat' C. D. ducent' septuagint' & octo lib' & decem solid' parcell' debiti & dampnor' infra-scrip't' Et denar' ill' coram D'no Rege infra-scrip'te ad diem & locum infracontent' parat' habeo ad reddend infranominat' W. B. Sed in partem satisfactionis debiti & dampnor' infra-scrip'te secundu tenorem b'revis illius.

Et ulterius certifico quod p'dict' C. D. nulla habet alia sive plu' bona seu catalla in balliba mea unde resis' debiti & dampnor' infra-scrip'te aut aliquam inde parcellam fieri facere possum.

J. D. Mil. Vic'.

Offic. Brev. 229. & Brev. Judic. 258. Greenwood, 234.

Fieri feci parcell' versus Administrat'.

N. Virtute, &c. Fieri feci de bonis & catallis que fuerunt W. D. inframentionat' tempore mortis sue in manibus infranominat' C. D. & D. ux' ejus administrans in balliba mea existend ducent' & decem lib' quatuordecim solid' & octo denar' parcell' debiti & dampnor' infra-scrip'te quos quidem denar' coram Justic' infra-scrip'te ad diem & locum infracontent' parat' habeo ad reddend infranominat' F. G. in partem satisfactionis debiti infra-scrip'te secundu tenorem istius b'revis.

Wacetim

Item certifico quod p̄dici E. & D. non habent ulla alia sive plura bona seu catalla in balliva mea que fuerunt p̄dici D. in manibus suis administrand.

Banc. Reg.
Nulla bona
Testator.

Item certifico quod infranominat E. D. nulla habet bona seu catalla in balliva mea que fuerunt p̄dici D. in manibus suis administrand.

Item certifico p̄dici E. D. & M. nulla habent nec eor aliquis habet in balliva mea ulla bona seu catalla propria unde dampnū infrascriptū aut aliquam inde parcelam fieri facere possum.

Nulla bona
Propri.

Et ulterius certifico quod p̄dici E. & D. post mortem p̄dici D. habuerunt diversa bona & catalla que fuerunt dicti D. tempore mortis sue in manibus p̄dici E. & D. administrand ad balenciam debiti infrascripti sed ante aduentum istius h̄v̄is p̄dicti E. & D. diversa bona & catalla que fuerunt p̄dicti D. tempore mortis sue ad balenciam debiti infrascripti que ad manus p̄dictorū E. & D. debenerunt devastaverunt & ad usum suum proprium convertererunt p̄ quod resis debiti & dampnorū infrascripti ullo modo fieri facere possum. Offic. Brev. 229.

Deval.
vit.

Devastabit Retornā sur fieri fac. Thes. Brev. 46.

Nulla bona Testatoris nec propria Retornā sur fieri fac. 46 Id. 117. 123. & Devastabit pur part des biens.

Part Retornā levis sur fieri fac. Id. 48. 116. Et nulla alia sive plura bona.

Entre del Devastabit Retornā al Part, Et del residue Retornā levis. Id. 122. 258.

Banc. Reg.

Retorn que **Alimio** ad nul biens del In-
 testate & nul biens app. Id. 237.

Retorn nulla bona sur **Fieri fac** per Die
 London. Id. 125.

Retorn devastabit sur **Scire fac** per Die
 B. Ibid.

Fieri fac de uno **Termo** anno²⁴ dimiss.
 Brev. Judic. 271. Et ibi notat que si **Term**
 soit vend p vertue del **Fieri fac** o de vendi-
 tiont exponas & denar deliber al **Plaine** &
 puis Judgment reverse **Restitucion** terra de
 denariis & nemp del **Term**.

It is said that the Sheriff upon a *Fieri facius*
 may seize and Sell Corn growing upon the
 Defendants Land, and the Party to whom this
 Sale is made, shall have liberty of cutting and
 carrying it away by virtue of such Sale made
 by the Sheriff, or other Officer in the Execu-
 tion of his Writ.

But it is a **Quere** whether the Sheriff may
 seize and sell Grasse growing, because Grasse
 grows naturally out of the Land without any
 Tillage. *Dalt.* 536.

Sur Scire fac **Inquire** **Retorn** nulla bona
 Intestatoris, sed **Devastabit** Et nihil habent.
 Thes. Brev. 238.

Vide Comp. Sheriff. 215, 216. &c.

Vide the Sheriffs Demeanor in executing a
Fieri facias, Compleat Sheriff 221.

Vide Greenwood 202. &c.

Sur **Restitution** sur **Fieri fac** nihil **Retorn**.

J. C. & al **infranominat** nihil habent &
 eo²⁴ aliquis nihil habet in **balliba** mea unde
 restitue bono²⁴ & catat **infrascripte** **infr-**
nominat **W. M.** habere facere potui necnon
 24 l. **infrascripte** eidem **W. M.** **Fieri** facere
 potui

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potui prout, &c. Vide Dalt. Offic. Vic. 247. Banc. Reg. Kirch. 270. a.

Aliter secund' Comp. Sheriff 231.

Virtute istius brevis mihi directe (tali die & anno infrascripte) tenemene infrascripte cum ptid reseisri & infranominat C. & D. plena possessione & seisinam inde restitui prout inferius mihi precipit.

Retorn brevis de Gestu & fama.

Virtute istius brevis Dño Regi ad diem infrascripte certificam. Quod non sunt aliqua Indictamenta nec est Indictamene vers infranominat C. penes nos residend Et ulterius Dño Regi certificamus quod iuxta formam & effectum huius brevis de Gestu & fama publice C. diligene inquisimus Et nihil mali de eodem C. invenimus.

E. P. & G. P. Justic.

Retorn de Formedon.

**Pleg' de Pross } J. D.
 } R. D.**

**Summonitores in } J. D.
francoiae J. S. } C. S.**

A. B. Ar. Vic.

See Dalt. 247. where 'tis observed that the Sheriff may retorn Tarde, &c. but then if the Demandant sues an Alias Summons, there ought to be nine Retorns between the Teste and retorn of it. 2 Dyer 252. but quære the Stat. 16, 17. Car. 2. concerning Days in Bank.

Banc' Reg

In a *Formedon* the Sheriff return'd *q^d Nihil habet, &c. nec est inventus, &c.* and was not allowed to be a good Retorn, for in this Writ the Sheriff may Summon him in, (or upon) the Land demanded, whether he be Tenant thereof or no.

Retorn' de Visu in Formedon, 2 Kitch. 271.b.

Virrute, &c. Dñi Regis huic Schedul^r annex' habere feci J. G. in eodem hzevi nominat^r visum de 40^o Acti Passui cum pertid^r in G. quas H. F. in Cur^r Dñi Regis coram Justic^r suis apud Westm^r claud^r ut jus & hereditat^r sua verlus p^rdict^r J. G. p^r hzebe Dñi Regis in forma Donationis in Descend^r Et dixi quatuor milie qui visui ill^r interfu^r q^d sint coram Justic^r dñi Dñi Regis apud Westm^r ad diem in dñs hzevi spec^r ad testificand^r visum ill^r put in eodem hzevi mihi p^rcepit^r. Vide ante tit. Dower. Et vide postea tit. Grand Cape & tit. View.

Forest.

Vide Dalton 248. Vide in Scacc^r tit. Summons.

Garranty del Charters.

The Process in this Writ is Summons Attachment and Distress Infinite, until the Party comes. *F.N.B. 156. Co. Lit. 102.*

Nihil is allow'd a good Retorn in this Writ. *Fitz. Ret. 12. vide Dalt. 248.*

Gard

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Banc. Reg.

Gard Retorn' de Brief inde. *Vide Dalt.* 248.

De Distress & del Proclam' in Brief de Droit
de Gard.

*Quod p'dice Defend' districe sunt per catalla
ad valenc' 2 s. Et Manucap' p' J. W. & R. F.
and that he made Proclamation, &c.*

But in this Writ the Defendant is to be summoned.

And *Nihil* also may be retorn'd upon them.

Fitz. Proclam. 5.

He may also retorn *Tarde*, or that the Enfant is in another County. *Fitz. Proclam.* 26.
164.

Grand Cape & Petit Cape.

Vide ante Dowder & Formedon & Cap' ad Valentiam.

This Writ of *Grand Cape* may Issue when any real Action is brought, and the Tenant does not appear, but makes default at the first Summons, and thereby forfeits his Land, *Terms del Ley, & Fitz.* 86. *Dalt.* 249.

So that by the *Grand Cape* the Tenant is summoned to answer to the default, and over to the Demandant; but by the *Petit Cape* he is summoned to answer to the default only. *Ibid.*
ut supra.

Also the *Grand Cape* Issues upon default before appearance, and the *Petit Cape* upon default after appearance. *N. B.* 178.

The Sheriff must also retorn the Names of the Summoners and Viewers.

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Retorn' de Grand Cape in Formedon secund'
Brev. Judic'.

Virtute istius brevis mihi directe tali die
& anno infrascripte Capi in manus Dñi Re-
gis per Visum J. D. & R. f. pboz & lega-
lium homin de Com meo infrascripte Cēta
infra spec ptid put mihi interius pcepit.

Sum per J. P. M. C.

P. C. Ar. Vic'.

Simile sur Grand Cape in le Remainder.

Virtute istius brevis mihi directe tali die
& anno infrascripte Capi in manus Dñe Re-
gine Cēta infrascripte cum ptid per Visum
A. B. & C. D. pboz & legalium homin de
Com meo put interius mihi pcepit. Brev.
Judic, 66.

Sum C. B. D. H.

E. B. Ar. Vic'.

Aliter secund' Dalton 249.

Virtute istius brevis 10 die M. anno in-
frascripte per Visum R. H. & C. H. pboz &
legalium homin de Com meo Capi in manus
Dñi Regis terras infrascripte put interius
mihi pcepit.

Sumonitozes J. D. R. f.

Aliter:

Virtute, &c. Capi in manus Dñi Regis p
Visum R. H. & C. H. pboz & legalium homin
de Com meo de terris & Cētis J. M. in-
frascripte ad valenc * unius Mestuas, &c.

ut

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ut in hzebi infracentene (tali die & anno) Rant. Reg.
iuxta formam huius hzebis: Or put interius
mihī precipit: Or put istud hzebe in se erigit
& requirit.

Alicer.

Virtute (Ec.) Cepi (Ec.) Tertiam partem
Messuag gardinoꝝ & ceteroꝝ pmissioꝝ put
interius mihī precipit.

Alicer.

Virtute istius hzebis Cepi in manus Dñi
Regis tali die & anno, &c. omnes terras &
Centa reddit & servic cum ptin suis in hzebi
isto spec secund formam huius hzebis per
Disum C. W. B. B. & F. C. pboꝝ & legalio
homin de balliva mea put interius mihī
precipit.

Upon this Writ the Sheriff may retorn, that
the Party hath nothing per quod Sufioniri
potest. Fitz. Ret. 10. Brev. Ret. 7.

In Brev. Judic. 66. It is observed, that *Nihil*
habet is a good retorn upon the *Grand Cape*
ad valenc, but that the Vouchee shall not be
received to answer before the *Sequatur suo*
periculo is retorn'd; yet at the Day of the *Se-*
quae He shall be received to answer altho' the
Sheriff retorns *nihil habet* upon the *Sequae*.

It is there also noted, That in *Hill. 11. H.6.*
Ror. 323. Upon a *Grand Cape ad valenc*, the
Sheriff retorn'd *Nihil*, and a *Testatum qd sa-*
ris habet & alias & pluries, and *Sequatur*
suo periculo.

Again *ibid. pag. 67.* *Nul Extene issera si le*
Vouchee ne soit Vouch in Forein County.

The Sheriff may also retorn, *Qd nullus ve-*
nit ex parte queꝝ ad offendend mihī terras

S 4

Et

Banc. Reg. Et ideo non potui terras capere, but he cannot its said so return, if he made the Summons before. *Fitz. Ret.* 54. & 103.

Yet some hold this **Cape in manum nram** to be only Form, and the Lands ought not to be seized. *Kiel.* 117.

Also its said he may return that there is no such Town, &c. *Fitz. Sav. Def.* 73.

And if the place where the Writ ought to be executed be within a Franchise, which hath full return of Writs, then the Sheriff may return **Manabi Ballibo Libertatis**.

Executio istius brevis patet in quadam Schedul huic brevi annex.

Ego **A. B. Dic Com C. Manabi J. W. Ballibo Libertatis de R.** in Com pdice qui habet plenum retord omnium brium & Executione eorundem infra Libertate pdice in Com pdice Et ad quem Executio istius brevis totalie pertinet faciens pro eo qd dicta Executio inde alibi in Balliba mea extra dcam Libertatem fieri non potuit, qui mihi sic respondet, &c. *Vide Libr. Intr. fol. 399. b. & Dalt. 250.*

Also he may return, **Ad virtute, &c.** 3 die anno, &c. Capi in manum Dni Regis duos solidas redditie infrascripte p visum R. & J. legalium homin Com pdice put interius mihi precipie.

Return of a Grand Cape in Dower secund.
Greenw. 228.

Virtute istius brevis mihi direct 26 die M. anno infrascripte Capi in manus dñi Dñi Regis per vis H. R. & C. R. pborum & legalium homin de Balliba mea tertiam partem

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Banc' Reg.

3. 3. 3.
 3. 3. 3.
 3. 3. 3.

R.S. Ar. Vic?

**Retorn de Petit Cape ad valenc' in Formedon
secund. Brev. Judic. 67.**

Infrakolac R. B. nulla habet terras seu
tenita in balliva mea que in manus Dñi
Regis ad valenc. Messuag. infrascripte capere
possum nec aliquid habet in balliva mea per
quod Surd potest.

Respon's.
S. H. & W. C. Vic.

Habeas Corpus, & Corpus cum Causa, &c.

First it may be observed, That no Writ of *Habeas Corpus* shall be granted to remove any Prisoner out of any Gaol, except the same Writ be signed by the proper Hand of the Chief Justice, or (in his absence) of one of the Justices of the Court, out of which the same Writ shall be awarded. 1 & 2 P. & M. chap. 14.

But by the Act of 30 Car. 2. A Judge at his Chamber may grant a *Habeas Corpus* returnable immediate in vacation time, except it be where the Party is committed for Treason or Felony.

And if he be in Prison for Treason or Felony, and be attainted, it seemeth that the Sheriff may retourn this, and that therefore he cannot have the Body in Court at the Day.

But

Banc. Reg.

But its made a Quare, whether the Sheriff may retorn as follows upon the Parties, being in Execution upon a *Ca. Sa. &c.*

It. Infrañoiar J. B. captus fuit, &c. & Prisoner, &c. Commissus Virtute cuiusdam hris de Cap ad satisfaciend.

Or thus:— *Ad Corpus infrañoiar R. C. jacet sub salva custodi mea in Executione ad letam T. B. p 100 l. rec coram Justic Dni Regis apud Westm a die Sti Mich in und mensent.*

Ideo Corpus ejus ad diem & locum infracontene habere non possum put interius mihi precipitur. Vide Dalt. 253.

For it is observed, That if a Man be condemned in any Court, and his Body be taken in Execution, and then he procures any Writ to the Sheriff to remove his Body, &c. the Sheriff upon such Writ ought not only to retorn the truth, or cause of the Condemnation, *scilicet*, That his Prisoner is condemned by Judgment, or in Execution, that so at the last the Prisoner may be remanded, for he shall not be let to mainprise, but be sent back to Prison, there to remain until he hath satisfied the Plaintiff. But also, the Sheriff ought to bring in the Body at the Day, and according to the Writ. *Fitz. 251. & Stat. 2 H. 5. chap. 2.*

Upon this Writ therefore are divers manner of Retorns, as will appear by what follows.

As Languidus.

Mortuus, Uelagatus, Excommunicatus. Non in Custod.

In alia Prisona p breve mihi prius direct.

In

The New Retorna Brevium.

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Banc Reg.

In Prisons p Trans.

Pro Felonia.

Pro Contrafactione monete.

Pro Murdro.

Pro Suspitione Latrocinij.

Pro Computo.

Per Supplicabit.

Pro Diversis pditionibus.

Per Ed. Hd & Superflet.

Captus p Warrant Justie de Pacis.

Captus p Debo.

Per Precept Dni Regis & p filibus.

Languidus retornat.

Virtute istius brevis vobis certifico qd ante adventum istius brevis, Virtute ejusdam alterius brevis mihi prius direce M. B. infraſcripe in Prisons Caſtri Dni Regis de C. extie ac ibi Languidus & infirmus jacebat, & in eadem Prisons adhuc Languidus & infirmus jacet ita qd ipm ob mortis metum curare non poſſum Ideo corpus dñi M. B. ad diem infracontene habere non poſſum. Lib. Intr. 190. Kirch. 258. b. Dalt. 250.

Aliter.

Justie Dni Regis certifico qd infraſcriae J. B. adeo Languidus in Prisons Dni Regis Caſtri ſui Cane in Com. C. variis infirmitate detene ita qd propter corporis ſui debilitate & mortis piculum ipm tute removere non poſſum. Ideo corpus ejus coram Justie infraſcripe ad diem & locum infracontene habere non poſſum juxta formam hujus brevis. Li. Intr. 400. Dalt. 250. Wilk. Lat. 132. vide poſtea. Special' Retorn' & Languidus.

Qd'

The New Retorna Brevium.

Qd' Def. est mortuus.

It is said, That upon a *Habeas Corpus* or *Corpus cum Causa* it is a good return, That the Party is dead. *Br. Ret.* 125. *Dalt.* 251.

Qd' Def. est Uclagatus.

Ante aduentum istius hzebis Virtute eiusdem alterius hzebis voc Cap Uclag mihi direce cujus transcribere vobis mitto presenti- bus annexi Cepi C. D. infrahoiae ipsius Pi- lone Dñi Regis de C. commisi & adhuc in eadem detinetur Pisona causa pmissa attamen corpus ipsius C. D. coram vobis prompe ha- beo ad diem & locum infracontene put inte- rius mihi pzecepe. *Li. Int.* fo. 457. *Kitch.* 160. *Dalt.* 253.

Aliter.

A. filius A. de B. per noēn A. de B. ante aduentum istius hzebis Uclagat fuit de seelon coram P. S. R. C. & sociis suis Justic Dñi Regis ad pacem (in tali libertate vel) in C. D. conserband Et postea per dñor. Justic mihi modo direce idem A. cape fuit apud D. & ea de causa constitutus fuit Pisona Dñi Re- gis de C. Attamen, &c. Vide *Kitch.* 160. *Dalt.* 252.

Qd' Def. est Excommunicatus.

Virtute, &c. vobis certifico qd ante adven- tum eiusdem hzebis Dñi Regis A. W. in- frahoiae per Censuram Ecclesiasticam in Ec- clia de R. (tali die & anno, &c.) propter suam contumac

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contumac' (or the like) Excommunicatus existit
Ipse A. p. ordinarios Dñi D. Eccle. Justie
in premis adhuc restat in eadem Cur. Ex-
communicat. Et hec est causa captionis &
detencionis pñice A. attamen corpus ipsius A.
D. coram Dño Rege ad diem & locum infra-
contene ubicunq, Et. habeo parat pponi Et.
Vide Kitch. 259. Dalt. 251.

Def. capt. per nuper Vic. non per me.

Infrascriptae A. B. cape fuit per R. C. Mil
& Dñe nuper Dic. Com. mei & non per me
modo Dic. ejusdem Com. Vide Greenw. 227.
R. S. Ar. Vic.

Def. non est in Custod. Vic.

Dño Regi certifico qd J. S. infrascripte
non detene existit in prisona sub custod mea
nec fuit die receptionis hujus brevis nec ali-
qua causa detentionis ipsius J. penes me re-
sident Et ideo corpus ipsius J. & causam de-
tencionis illi coram Dño Rege ad diem & locum
infracontene habere non possum put interius
mihì pñipie. Li. Intr. fo. 472. Dalt. 251.

Def. capt. sed non deliberat' per nuper Vic.

Ego R. P. At Dic. Com. S. Justie infra-
scripte certifico qd corpora R. C. & ceter Def.
infrascriptae per me non cape fuer sed per R.
P. Mil nup Dic. Com. pñice pr' predecessor
meum & mihì subscripse p ipm mie delibae
Ideo corpora eorū ad diē & locū infracontene
habere non possum put interius mihì pñipie.
Offic. Brev. 202. Dalt. 254. Wilk. Lat. 132.

R. P. Ar. Vic.

Aliter.

Aliter.

Infrascripte C. C. non deliberat fuit in
p. C. C. Ne nuper Die Com infrascripte in
ejus exie ab Officio suo.

O. A. Ar. Vic.

Brev. Judic. 117.

Special return of a Commitment by the
Keeper of *Newgate*.

Special return of a *Habeas Corpus*, wherein the
Cause of Commitment is set forth, viz. That
T. C. (mentioned in the Writ) was commit-
ted to *Newgate* by the Mayor and Aldermen
of *London*, at the Complaint of the Master
and Wardens of the Company of Mer-
chant Taylors, (whereof the Prisoner was
a Member) for that he refused openly, vo-
luntarily, obstinately and contemptfully, in
the Court of Aldermen to take upon him
the Livery of the said Company, after he
had been duly chosen a Livery-man thereof,
according to the Custom of the City of
London; drawn by Mr. *Sanders* and perused
by Mr. *Pollexfen*.

Executio istius brevis patet in quadam
Schedul huic brevi annex' Resp. W. R. Geo
Custod Gaole de Newgate Justie Dnd Reg
ad Placita coram ipso Rege Tenent assign
Ego W. R. Custos Gaole dei Dnd Regis de
Newgate humilime certifico quod Civis Lon-
don modo est & a tempore cujus contrae
memoria hominum non existit fuit antiqua
Civis Qdq Civis & liberi homines Civitac
illius

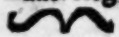
illius a toto p̄dicte sed cuius contrari memor
 hominum non existit usq; ad & in termino
 S^{te} Trinitatis anno regni Dⁿⁱ Caroli secundi
 nuper Regis Anglie, &c. tricesimo quinto
 fuerit incorporatæ tam per nomen Maioris
 Communitatis & Civium Civitatis Londoniæ quam
 per nomen Maioris & Communitatis Civitatis
 Londoniæ ac quod de p̄dictis Civibus & liberis
 hominibus sic incorporatæ a toto tempore su-
 pradicto fuerit separata Societas Gildæ & Frater-
 nitatis infra eandem Civitatem unde Fraternitas
 Mercatorum Scissorum in Civitate Londoniæ p̄dicte
 (que a toto tempore supradicte fuit separata
 Societas Gildæ & Fraternitatis infra eandem
 Civitatem ac Incorporatæ fuit per nomen M^{ed}
 & Guardiani Mercatorum Scissorum Fraternitatis
 S^{ti} Iohannis Baptiste in Civitate Londoniæ) est & a
 toto tempore supradicte fuit un^a & tam de &
 in p̄dicte Fraternitatis Mercatorum Scissorum p̄dicti
 quam in omnibus ac Societas Gildæ & Fra-
 ternitatis infra eandem Civitatem sunt & a tem-
 pore supradicte fuerunt quidam homines existē-
 cives & liberi homines Civitatis p̄dicte ac liberi
 homines earundem Societatis Gildæ sive Frater-
 nitatis respective (vocati Livery-men) qui de
 tempore in tempus a toto tempore supradicte
 electi fuerunt & eligi consueverunt per Societatis
 Gildæ sive Fraternitatis unde huiusmodi homi-
 nes liberi existunt & quilibet eorum liber existit
 respective in liberatu Anglice the Livery e-
 iusdem Societatis Gildæ sive Fraternitatis unde
 ipsi respective sic ut p̄fertur liberi homines ex-
 titerunt qui quidem homines & quilibet eorum
 respective sic electi & non habentes seu habens
 aliquam rationabilem causam sive excusationem
 in contrariū inde Officium sive locum unius de
 Liberatu Anglice of a Livery-man, eiusdem
 Societatis Gildæ sive Fraternitatis respective in
 qua

Banc' Reg.



qua quilibet huiusmodi homo elect fuit fore
 de liberatur inde a toto tempore supradice
 in se suscipere solie fuit ac debuer & debent
 ac officium illud ac omnia Officij sive loci
 illius maiora onera & expens & denar sum-
 mas erga supportatione & in & pro homo pub-
 lico & meliori regimine ejusdem Fraternitatis
 respective de liberatur inde non existend a toto
 tempore suprad' solber & contibuet & contib-
 buet solie fuit & debuer Et ulterius certifico
 quod infra Civitatis pd' habetur & a toto tem-
 pore suprad' cujus contrai memor homin non
 existit usq; ad & in pdice Termin Ste Trinit
 habebatur quedam Cui Dnd Regis nunc &
 antecess suor quoad Regd & Reginat Angl de
 Record tene septimanatin quolibet die Mart
 & quolibet die Jovis coram Majore & Alder
 Civitatis pzed No tempore existend in Camera
 Gild ejusdem Civitatis scituat in Paroch Sti
 Michaelis Bassisham in Warda de Bassisham
 in qua quidem Cui Major & Alderman Ci-
 vie pdice pro tempore existend a toto tempore
 supradice tractaver regulaver & ordinaver &
 tractare regulare & ordinare usi fuit & consu-
 eber omnia ad pzedice sepe rat Societas Gild
 & Fraternitas Civie pdict pro tempore existend
 tanged spectand vel quovismodo concerned que
 coram eis dilat fuit pro meliori regimine &
 Gubernatione inde in supportatione honoris
 & dignitat ejusdem Civie Adq; liberi homin
 existend cives & liberi homines Civitatis Lon-
 don pdice de qualibet Societas Gild sive
 Fraternitas Civitatis pzed & eor quilibet a
 tempore supradice usq; ad & in pdice Termin
 Ste Trinitas fuit & fore consuebet sub regi-
 mine gubernatione correctione & punitione pstat
 Major & Alderman Civitatis pdice p tempore
 existend in Cui pdict in forma pdicta tenet pro
 omnibus

omnibus & singulis materiis per aliquem huiusmodi liberorū hominū inde factū sive fieri omisū contra sive in prejudicium boni regiminis & gubernationis predictae Societatis Guild sive Fraternitatis Civitatis predictae Et ulterius certifico quod infra Civitē predictae habetur nec non a toto tempore supradicto usque ad & in predictae Terminū Sanctae Trinitatis habebatur quaedam alia Consuetudo infra Civitatis predictae a toto tempore supradictae usitata & approbata quod si aliqua querimonia Anglice Complaint facta fuit in scriptis vel ore tenus praefato Majori & Alderi Civitatis predictae pro tempore existentem in Curia predictae sic ut praefertur coram eis secundum consuetudinem tenentem per Magistrum & Custodes alicujus Fraternitatis Civitatis predictae infra eandem Civitatem sive per membra principalia alicujus Fraternitatis Civitatis predictae infra eandem Civitatem in qua non fuerit Magister sive Guardianus seu eorum aliquis, ostendens quod aliqua persona existens Civis & liber homo Civitatis predictae ac membrum ejusdem Fraternitatis electus fuit per Fraternitatem illam in liberatur ejusdem Fraternitatis unde ipse membrum extitit ac requisitus fuit ad officium sive locum unius de liberatur ejusdem Fraternitatis suscipiendum ac onus officij sive loci illius subeundum & sustinendum quodque si huiusmodi civis & liber homo Civitatis predictae ac membrum huiusmodi Fraternitatis absque rationabili causa sive excusatione in contrarium inde fore de Liberatur huiusmodi Fraternitatis officium sive locum illum suscipere ac onus officij sive loci illius subire & sustinere recusabit ac inde petens remedium auxilium & Justitiam ejusdem Curiae coram Majori & Aldermannis ejusdem Civitatis pro tempore existentem sic ut praefertur secundum consuetudinem tenentem in praemissis versus talem personam sic recusantem & superinde talis persona



The New Retorna Brevium.

sona verſus quem huiusmodi querimoniam face-
 ſuit exiſtens Civis & Liber homo Civie pꝛed'
 ac membrum huiusmodi fraternitatis coram
 pꝛefat' Major & Alderman Civie pꝛedice pꝛo
 tempore exiſtens in Cur' pꝛedice convent coram
 eiſdem Major & Alderman in eadem Cur'
 pꝛemiſſis cognoverit vel non dedixit ſed moni-
 tus per eand' Cur' ad ſeipſum conſormand' in
 ea parte ad Officium ſive locum illum in ſe
 ſuſcipere ac onus officij ſive loci illius ſubire
 & ſuſtinere apte & voluntarie obſtinate & con-
 temptuoſe abſq' aliqua cauſa ſive excuſatione
 quacunq' in contrariu inde ſore de Liberat' ejuſd'
 fraternitatis unde ipſe ſic ut pꝛfertur membi
 exiſtit ac officij ſive loci ill' in ſe ſuſcipere in
 ead' Cur' recuſaverit tunc ijdem Major & Al-
 derman Civie London' pꝛed' pꝛo tempore ex-
 iſtens in ead' Cur' ut pꝛfertur tene huiusmodi
 perſona ſic recuſand' in pꝛiſonam ſub Cuſtod'
 Dic' Civie London' pꝛo tempore exiſtens aut
 al' officiar' ibidem mandaber' & commiſer' ibi-
 dem ſub cuſtod' remanſur' & ſore detene quo-
 uſq' ead' perſona que ſic in pꝛiſona commiſſa
 fuit conſentiret & declararet quod ipſe officij
 ſive locum pꝛed' in ſe ſuſciperet ac onus
 officij ſive loci illius ſubiret & ſuſtineret vel
 alie huiusmodi perſona extra pꝛiſonam &
 Cuſtod' pꝛefat' Dic' ſive al' officiar' Civie pꝛedice
 per debitum Regis curſum deliberetur & ex-
 oneretur Que quidem ſeperal' conſuetudines
 ſupꝛamentionat' necnon al' conſuetud' & li-
 bera uſuagia Anglice Frank uſages Civie pꝛ'
 infra Civitatis pꝛedice uſitat' Authozitate Par-
 liament' Domini Ricard' nuper Regis Anglie
 poſt Conqueſtum ſecundi tene apud Weſtm'
 in Com' Midd' anno Regni ſui ſeptimo tunc
 Major & Comunitas Civitatis pꝛed' ratificat'
 & confirmat' fuer' Et ulterius humillime
 certiſico quoad Term' Scti Michaelis anno
 regni

Customs
 confirm'd.

regni Dñd Regis Caroli secundi tricesimo tertio R. S. Mil; Attozñ Generat dice nuper Dñd Regis qui pro eod nuper Rege in ea parte sequebatur in propria persona sua ven in Cur dñi Domini nuper Regis coram ipso nuper Dñd Rege ad tunc apud Westm in Com Midd die Lune prox post quinden Sti Martini isto eod Termin & pro eod dicto nuper Rege tunc exhibuit Cur ibidem quandam informationem versus tunc Major & Communitas ac Cives Civitatis London pdice ac in eadem Information tunc dedit Cur ibidem intelligi & informari quod tunc Major & Communitas ac Cives Civitatis London pzed per spatium unius mensis tunc ule elaps & amplius usi fuissent & usq tunc utebantur & clamassent habere & uti absq aliquo Warr sive regal concessioñ infra Civitatis London pdice & Libertatis & precinct ejuldem Civitatis divers Libertatis Privileg & franchises in Information ill specificat absq aliqua Commission sive al Auctoritate a dicto nuper Dñd Rege in ea parte concessa sive obtene de quibus quidem omnibus & singulis Libertatis Privileg & franchises iidem Major & Communitas ac Cives Civitatis London pdice per tot tempus pdice super dictum dominum nuper Regem usurpassent & usq tunc usurpaver Et superinde postea scilicet die Lune prox post Octab Sti Hillar anno Regni dñi Domini nup Regis tricesimo tertio suprad in Cur dicti Domini nuper Regis coram ipso nuper Dñd Rege apud Westm eadem Cur apud Westm in Com Midd tunc tene existend) vener pzed Major & Communitas ac Cives Civitatis London pdice p Benedictu Brown tunc Attoznac suu & habito audie informacoñ pd pfar tunc Major & Communitas & Cives Civitatis London pzed petier inde diem interloquendi usq

Banc. Reg.

Quo War-
ranto a-
gainst the
City.

a die Pasche in quindecim dies tunc pr' futur' & eis concedebatur coram dicto nuper Dño Rege ubicunq. &c. Et superinde taliter processa, fuit in eadem Cur coram ipso nuper Rege apud Westm' p'dice quod postea scilicet Termino Ste Trinitae anno regni Dñd Caroli secund' nuper Regis Anglie tricesimo tertio supradict' in eadem Cur ip' sius nuper Dñd Regis coram ipso nuper Rege apud Westm' in Com' Mido' adtunc existend' pro eo quod visum fuit eidem Cur tunc ibidem quod p'dice tunc Major' & Communitas ac Cives Civitatis London' p'dict' forisfecissent dicto nuper Dño Regi libertat' Privileg' & franchises suas p'dice considerat' fuit per eandem Cur ibidem qd' Libertat' Privileg' & franchises de seipsis existend' uno corpore corporat' & politico in re scō & nomine per nomen Majoris & Communitatis ac Civium Civitatis London' ac per idem nomen placitare & implacitari respondere ac responderi per eundem Majorem & Communitatem ac Cives Civitatis p'dice clamar' caperentur & seiscirentur in manus dicti nuper Dñd Regis unde condict' exiit' put per Record' & Process' inde in Cur Dñd Regis coram ipso Rege nunc hic scilicet apud Westm' p'dict' pleniz' Constat de Record'. Quod quidem Judic' adhuc in suis plen' robore & effectu remanet minime reverts' sive adnullat' Virtute cujus p'dictus nup' Dñus Rex Carolus secundus scie fuit de Libertat' Privileg' & franchises p'dice Et ulterius Certifico quod Illustrissimus Jacobus secund' nunc Rex Angl', &c. secund' beneplacitum suum regale volens quod Regimen & Administratio dice Civit' & Civium ejusdem Civit' in omnibus continuaretur exerceretur & uscretur pro honore dict' Civitatis & Emolument

King James
Patent.

mense Civium ejusdem Civitatis & al' subditos
 dicti Dnd Regis nunc eodem modo quo ad &
 ante tempus reddicioni Judicii pdicti usitat'
 fuit ac ut boni & laudabiles consuetudines &
 leges usitae & consuee infra dictam Civitat'
 ante Judicium pdicti reddit & tempore reddi-
 tionis Judicii ill' in robore existend' adhuc
 teneantur & exerceantur & observentur postea
 scilicet p' literas suas Patentes sub magna
 sigillo suo Anglie confect' gerend' dat' apud
 Westm' pdice in pdicto Com' Middel' decimo
 septimo die Januarii anno Regni sui secundi
 assignabit constituit & fecit dilectos sibi J. P.
 M' il' tunc Major & W. C. M' il' W. H. M' il'
 J. M. M' il' W. P. M' il' P. C. M' il' J. S.
 M' il' R. J. M' il' J. C. M' il' S. L. M' il' J.
 R. M' il' P. D. M' il' P. R. M' il' S. D. M' il'
 W. P. M' il' P. P. M' il' W. C. M' il' W. G. M' il'
 P. W. M' il' C. R. M' il' M. W. M' il' W. R.
 M' il' J. H. C. R. M' il' C. F. M' il' & C. P. tunc
 Alder d'ce Civit' Lond' continuare & fore Alder
 Civit' Lond' pdict' & habere gauderi & exequi om-
 nes & consimil' auctoritat' potestat' & Privileg'
 qual' Alder Civit' pdict' ad vel ante Temp.
 reddicioni Judicii pdict' de Jure habuer' vel
 exequi potuer' habend' gaudend' fungend' & ex-
 equend' eadem Officia Auctoritat' Potestat' &
 Privileg' cum omnibus & singulis eisdem
 ptinend' & spectand' tam infra Wardas suas
 respectivas quam in aliquibus Cui tene sive
 tenend' coram Majore & Aldermanis dicte Ci-
 vitatis aut alibi infra eand' Civitat' & Liber-
 tat' ejusd' & in omnibus al' locis & ad om-
 nia intentioni & propositi in tam amplis modo
 & forma in omnibus sicut isti vel aliquis illor'
 seu aliquis al' Alderman' aut aliqui al' Al-
 derman' ejusdem Civitatis ante tunc habuer'
 gavis' sum' vel execut' fuer' vel de Jure ha-
 bere

Banc. Reg.



here gaudere fungi vel exequi debuer vel de-
buit. Et ulterius idem Dñus Rex Jacobus
secundus per predictas literas patene voluit
constituit stabilivit & declaravit quod Major
Alderman Recordator Vic Camerarius cete-
rior omnes officia Civitatis predicte tunc fuer
& impoterum forent & quilibet eor haberent
gauderent & exercerent & haberet gauderet &
exerceret omnes Cur tam de Recordo quam
non de Recordo Jurisdiction Potestas &
authoritas respective in locis suis tam infra
predicta Civitatis London quam extra que
Major Recordator & al officia Civie pred
seu eorum aliqui vel aliquis tempore reddi-
tion Judicii predicti vel antea seu postea
respective habuer exercuer vel legitime habet
& exercere potuer vel potuit Ac etiam qd
Major & Aldermanni Civitatis predicte pro tem-
pore existend vel aliqui tresdecim illorum
(quorum Major dice Civitatis vel ale duos
senior Alderman p tempore existend und esse
voluit) ordinare discernere & providere pro
bono regimine Civitatis predictae ac Civium Ci-
vitatis & al subditor suor vel libertas ejusde
valerent & possint & quod haberent regimen
gubernation & ordination omnium mister &
societatis infra dictam Civitatem & omnium &
singulor membro earund & qd appunctuare
& statuere valerent & possint quas & quam
earund societatis haberent seu haberet Libera-
tur Anglice a Livery. Ac etiam approbare &
allocare vel reculare ad libitum suum aliqua
membra dictar sepe rat societatis elect vel Eli-
gend in Liberae antequa adinde admisa essent
vel fuerint & corrigere castigare & punire
membra earund societatis p inobedientia ac
contumacia suis prout antea usitae fuit. Et
ulterius certifico qd ante adventum predictae
habeat

h̄ebis de Habeas Corpus mihi in hac parte
 directe scilicet vicesimo quarto die Novem-
 bris anno regni dicti Dni Regis nunc secundu
 T. C. in h̄ebi huic Schedule annex' nomi-
 nat qui adtunc & diu antea & continue po-
 stea huc-usq; fuit & adhuc exist' Civis & Li-
 ber homo ac Membrum p̄dice Fraternitae
 Mercator scissor in Civitate London p̄res & per
 Fraternitae illa debito modo elect' fuit in Li-
 beratu' ejusd' Fraternitae ac ad officiu' sive
 locum unius Liberatu' Anglice of a Livery-
 man, ejusd' Fraternitae in se suscipiend' ac ad
 onus officij sive loci illius subeund' & sustinend'
 secundu Cons' Civitatis p̄dice a toto tempore
 supradict' usitat' & approbat' in ead' unde idem
 T. C. adtunc habuit notici' & adinde requisit'
 fuit sed ita facere penitus reculavit super
 quo postea & ante advene' p̄dict' h̄ebis de
 Hab Corpus mihi in hac parte directe scilicet
 decimo septimo die februarii anno Regni dicti
 Dni Regis nunc secundo supradice quedam
 queremon' Anglie complaint fact' fuit ore te-
 nus p̄lat' J. P. adtunc & adhuc Major & tunc
 Alderman Civitatis p̄dict' in Cui p̄dice p̄ quen-
 dam W. D. Mil' adtunc W̄rm & quosdam
 Hugon' Roden & J. P. adtunc Guardian'
 Fraternitae Mercator scissor in Civitate Lon-
 don p̄res ostend' qd' p̄dict' T. C. existend' Ci-
 vis & liber homo Civitatis p̄res ac membrum
 Fraternitae Mercator scissor p̄res in Civitate
 London p̄dict' existend' elect' fuit p̄ fraterni-
 tat' illa in Liberatu' ejusd' Fraternitae ac p̄
 eos adtunc & diu antea existend' idoneus ho-
 mo tam ad officium illud quam onus ejusd'
 officij subeund' requisit' fuit ad officium sive
 locum unius de liberatur' ejusdem fraterni-
 tat' in se suscipiend' ac ad onus officij sive loci
 illius subeund' & sustinend' Idem Tamen T.
 C. Civis & liber homo Civitatis p̄dict' ac mem-
 b̄um

Banc Reg.

 Defendant
 elected a
 Livery-
 man.

 Refusal to
 be of the
 Livery.

Banc. Reg.

hunc ejusdem fraternitatis absque aliqua rationabili causa sive excusatione in contrarium inde fore de liberatur ejusdem fraternitatis et officium sive locum illum in se suscipere ac onus officij sive loci illius subire seu sustinere penitus recusasset ac proinde iidem Magi et Guardiani per queremoniam illius remedium auxilium et Justiciarius Curia Majoris et Aldermannis predictis secundum consuetudinem predictam tenent in premissis predictis versus prefatus T. C. petierunt ac superinde predicti T. C. coram Magistro et Aldermannis Civitatis predictae in Curia predicta adtunc et ibidem secundum consuetudinem predictam coram Magistro et Aldermannis tenent conventum existentem et personaliter compem coram eisdem Magistro et Aldermannis Civitatis predictae in eas Curie premissa predicta non dedixit videlicet quod ipse existens Civis et Liber homo Civitatis predictae ac membrum ac Liber homo fraternitatis predictae vel mentionat existens ac etiam idoneus homo ad officium predictum quam ad onus officij illius subeundum electus fuit per fraternitatem illius in liberatur ejusdem fraternitatis ac Requisitus fuit ad officium sive locum unius de Liberatur ejusdem fraternitatis suscipiendum ac onus officij sive loci illius subeundum et sustinendum ac predicti Magister et Aldermannus predicti electionem per T. C. ut prefertur factam approbaverunt Idem tamen T. C. Civis et liber homo et membrum fraternitatis illius et idoneus homo ut prefertur existens officium sive locum illius in se suscipere ac onus officij sive loci illius subire et sustinere recusasset Licet ipse coram prefato Magistro et Aldermannis Civitatis predictae in aperta Curia predicta coram prefato Magistro et Aldermannis die et loco ultimum supradictum tenent vel expressis cognovit et fassus fuit super quo predicta T. C.

E. adtunc & ibidem in eadem Cur per p̄sar ^{Banc. Reg}
 Major & Alderman Civie p̄dice ad seip̄s
 conformand in ea parte ac ad officium sibe
 locum ill in se suscipiend & ad onus Officij
 sibe loc illius subeund & sustinend sepius in
 ead Cur ibidem monitus fuit p̄dice tamen
E. non habens nec allegans aliquam cau-
 sam sibe excusation quancunq in contrar
 inde post hujusmodi monitionem sibi in for-
 ma p̄dice facte fore de Liberatur ejusdem
 Fraternitae ulc supradice seu officium sibe lo-
 cum ill in se suscipere ac onus officij sibe loci
 illius subire seu sustinere. in ead Cur ibidem
 aperte & voluntarie obstinate & contemptuose
 absq aliqua causa sibe excusation quacunq
 in contrar inde renuit & expresse recusavit
 Per quod p̄refat Major & Aldermanni Ci-
 vie London p̄dice adtunc & ibidem in ead
 Cur ante advene p̄dice brevis de habend cor-
 pus ipsum p̄fate **E. C.** sic recusantem secund
 consuetud p̄dice in Prison sub Custodia mea ^{Commit-}
 mandaver & commiser ibidem remansit & fore ^{ment to}
 detene quousq idem **E. C.** consentiret & de- ^{Prison quo-}
 clararet qd ipse officium sibe locum p̄dice ^{usquo, &c.}
 in se susciperet ac onus officij sibe loci illius
 subiret & sustinet vel alie qd idem **E. C.** ex-
 tra Prisonam & a Custos mea p debm legis
 cursum deliberat & exonerat foret Et ulte-
 rius certifico qd p̄dictus **E. C.** ad aliquod
 tempus hucusq non consentivit nec declara-
 vit qd ipse idem **E. C.** officium sibe locum
 p̄dice in se suscipere seu onus officij sibe loc
 illius subire & sustinere voluit nec officium &
 locum ill in se suscepit Et hec est causa cap-
 tion & detention p̄dice **E. C.** in Prisona p̄s
 sub Custos mea quā unacum corpore p̄refat
E. C. coram p̄fate Justie dicti Dni Regis
 nunc

Banc. Reg. nunc ad placita coram ipso Rege tenenti assignat ad diem & locum in hzebi huic Schedule annex' contente parat habeo unacum dicto hzebi put mihi per idem hzd precipitur.

See for this Retorn, *Bro. Rediviv.* 385.

Qd' Def. est in alia Prifona, &c.

Virtute istius hzebis vobis certifico qd ante adventum istius hzebis W. B. infra-
scribe captus fuit in alio loco & Prifon Dnd Regis de P. commissus virtute cuiusdam alterius hzebis mihi prius direct cuius transcriptum vobis mitto huic hzebi consue Attamen corp' ipsi? W. cora vobis habeo addidit & locum infracontene put interius mihi precipie, &c. Dalt. 251. Kitch. 259. a.

In Prifona pro dampn' in Trans. &c.

Nos Dic pdice vobis significamus qd ante adventum istius hzebis Dnd Regis nobis direct & huic hzebi consue J. F. de C. in dco hzebi nominat captus fuit (in tali loco) & Prifon Dnd Regis de C. commissus pro 20 l. de dampnis adjudicat C. C. de P. in placito trans in Cur Dnd Regis in dca Civie C. cora nobis dice Dic tene Et similiter ide J. detentus est in Prifona pdice ad sextam W. S. in placito trans coram nobis dice Dic in Cur pdice habet & prosecue Attamen corp' &c. (ut in al) Kitch. 259. Dalt. 251.

Qd' Def. est in Prifona pro Felonia.

Virtute istius hzebis vobis significo qd ante advent' ejusdem hzebis Dnd Regis R. A. in dco

de hzebi nominal cape fuit in A. & Prison Dnd Regis de C. pro suspensione communis Latronis commiss Et ulterius idem A. detene fuit in eadem Prisona pro eo qd ipse p diversis felonis p ipsum facit & ppetrat apud D. in Hundzed de A. indictatus est ut informatus sum Et alia vice captus armatus apud J. (in Com tali) duct fuit prison Dnd Regis de C. A. eandem Prisonam Dnd Regis felonice fregit & ab ea recessit ut dicitur Attamen corpus, &c. (ut in al) Dalt. 251. Kitch. 258, 259.

Def. capt' pro suspitione Latrocinij.

A. de B. captus est p suspitione Latrocinij Et quia non potest invenire sufficientem securitatem ad Legem Dnd Regis expectans Prisonem Dnd Regis de B. commiss fuit Et ea de causa detinetur Attamen corpus, &c. Dalt. 252. Kitch. 259.

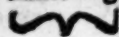
Def. detent' pro suspensione contrafactione monete.

Ante advene istius hzebis C. D. infra-scripe cape fuit (in tali loco) & Prison Dnd Regis de A. commiss pro suspensione contrafactionis monete Regis Et ea de causa & non alia in eadem Prison detent est, Attamen ipse C. D. coram vobis ad diem & locum infracontene parat habeo put interius mihi precipit, Kitch. 259. b. Dalt. 251.

Def. detent' pro Murdro.

A. B. captus fuit apud D. in Com C. per H. B. Senellum C. F. & coram prefat Senello hundzed

Banc. Reg.



hundred tent, &c. indicatus fuit p morte J. C. p pdict B. occisum & per pfar Benellum missus fuit p rione Dnd Regis de R. quod quidem indicament remad cum p pefat Benescallo Attamen corpus ipsius B. coram Dno Rege in Cane sua ad diem in bzehi isto content ubicunq fuer, &c. habeo parat put istud bzehi in se exigit & requirit, &c. Kitch. 259. b. Dalt. 252.

Def. est detent' pro diversis Proditionibus.

Infrascript J. C. appellatus fuit apud C. coram (tali Iudice) p W. pbatorem (tali die & anno) p diversis Proditionibus p ipsum ppetrat Et ex illa causa captus fuit in C. & comiss p rione Dnd Regis de R. Attamen corpus, &c. ad diem & locum infracotent parat habeo put interius mihi pcepit, &c. Kitch. 260. a. Dalt. 252.

Def. est detent' fur Account per Auditores.

Ante advent' istius bzehis A. B. & S. Auditores Compot' W. de B. mihi delibaver' p Indentur corpus R. S. infrascript salbo & secure custodiend quousq satisfec W. de B. de 200 l. arreer super finem Compd R. S. p dcos Auditores indent, &c. Et hec est causa captionis & detentionis ipsius R. S. Attamen corpus, &c. Kitch. 260. Dalt. 252.

Aliter.

W. D. infrascriptus cape fuit ante adventum istius bzehis (in tali loco) & in p rione Dnd Regis sub mea custod detent ptertextu cujusdam Querelle in Cui ipsius Dnd Regis
ibidem

ibidem coram me p̄stat Dic super ip̄m p̄ noēd Banc Reg.
 W. &c. ad sextam A. B. in placito Compd
 affirmat Unde in eadem Cur coram me dict
 Dic Partes p̄dice p̄litaver & posuer' se super
 Jurat' p̄iē in eadem Cur Et postea dic'
 W. D. sup suffic Manu capt' ad respons' p̄stat'
 A. B. de placito p̄vō dimiss' fuit at largum
 a P̄isone p̄vō Et quia p̄dic' W. post manu-
 capt' p̄dic' ad iudicium non revid' Custod'
 corpus ejus ad diem & locum infracontent'
 habere non possum, Vide Kitch. 259. & 260.
 & Dalt. 252.

Def. commissus virtute brevis de Supplicavit.

Virtute istius h̄v̄bis vobis certifico qđ
 A. W. infrascript' fuit virtute alterius h̄v̄-
 bis Dñd Regis vocat' Supplicavit ad sextam
 D. B. diu ante advenum istius h̄v̄bis &
 commissus P̄isone Dñd Regis de C. p̄o eo qđ
 non potuit sufficēd invenire securitatem de
 Pace gerend' erga dice D. Et hac de causa &
 non alia in dic' P̄isone detinetur Atta-
 men corpus, &c. Dalt. 252. Kitch. 260.

Note, The Sheriff may also say, Qđ con-
 dempnat' fuit in tali Cur ex cognizione
 sua p̄opr' vel per taxtōd suam p̄ Cons
 Cur', Kitch. 260.

Def. Capt' per nuper Vic' sur Ca. sa' & Su-
 persed. superinde agard.

Ego A. B. Armig Dic Comd C. Dñō
 Regi ad diem & locum in h̄v̄bi huic Schedul'
 annex' content' certifico qđ ante advent' ejus-
 dem h̄v̄bis A. G. in dic' h̄v̄bi nominat'
 capt' fuit infra Comd p̄dic' per W. D. Ar'
 nuper Dic Comd p̄vō & in P̄isone dñi Dñd
 Regis

Banc. Reg.

Regis Castri sui de C. in Com p̄dia' sub
 salva custodi ejusdem nuper Vic detent vir-
 tute cujusdam brevis dñi Dñi Regis de ca-
 pient' versus dict' A. teste apud Westm 9 die
 Octobr anno regni (et.) retorn coram Justic
 dict' Dñi Regis apud W. a die Scti M. in 15
 dies tunc p̄or' sequen' ad satisfaciens C.
 D. Gen tam de quodam debic' 40 l. qm p̄o
 30 s. p dampnis Unde idē A. coram p̄fat'
 Justic apud W. convictus fuit cujus quidem
 ro p̄us sic capt' & in Prisona p̄dia' sub custodi
 dñi nuper Vic ea ockone existē detent' Ego
 p̄fat' A. B. nunc Vic Com p̄dia' recepi de
 p̄dia' nuper Vic in ejus Exir' ab officio suo,
 & corpus ejus p me de p̄fat' nuper Vic sic
 recept' in Prisona p̄dia' salvo custodi feci quo-
 usq̄ postea scilicet 10 die Dec anno, et. re-
 cepti quoddā b̄ve dñi Dñi Regis de supersed
 mihi direct' cujus quidem brevis tenor sequit'
 in hec verba Jac (et.) Virtute cujus quiddā
 brevis de supersed p̄o eo qd non fuit aliqua
 alia Causa detenēd p̄ A. dñm A. ad largum
 ire pmissi dict' breve de Cap ad satisfaciens
 in aliquo non obstante put p dict' breve de
 supsed mihi inde p̄cipitur Ideo corpus p̄dia'
 A. coram p̄fat' Dñō Reg' ad diem & locum
 in dño brevi huic Schedul annex' content' pa-
 rat' habere non possum put idem breve in se
 exigit & requirit.

A. B. Ar. Vic'.

Vide Dalt. 253. Wilk. Lat. 131.

Retorna

Retorn from the *Marshals Court.*

**Exercito istius hzebis patet in quadam
Schedul huic hzebi annex'.**

Respons'.

**Jacobi Ducis Ormond in-
fra Regnum Hibine Senli
hospicii Dnd Regis E. W.
Mil' Marr' ejusdem hos-
picii & J. B. Mil' Senli
Cur' Pallacij infrascript'
Judicium Cur' ill'.**

Cur' Dni' Regis Pallacij Regis Westm'.

**Nos Jacobus Dux E. infra regnum Hibide
Senlus Hospicii Dnd Regis E. W. Mil'
Marrescallus ejusde Hospitij & J. B. Mil'
Senlus dice Cur' Dnd Regis Pallacij Regis
Westm' Judices ejusdem Cur' f. North Mil'
Capital (vel H. W. Mil' ud) Justie Dnd
Regis de Banco certificamus qd ante adven-
tum nobis hzebis huic Schedul annex' scilicet
14 die Julij anno regni dei Dnd Regis nunc
18 A. B. in dco hzebi nominat capt fuit a-
pud S. in Com' Surri infra Jurisdicton hu-
jus Cur' ac ibidem in Prisona Dnd Regis
sub custodi nostra detene virtute cujusda Que-
rele vers' ipm in dca Cur' lebat ad sectam
E. D. in placito trans' super Casum ad
dampm ipsius A. 10 l. Detent est etiam pzet
A. B. ad sece E. f. in placito trans' super
Casu ad dampnum ipsius E. 20 l. Et he
sunt cause capton & detenton pfac A. B. in
Prisona Dnd Regis sub custodi nostra cujus
quidem corp' ad diem & locum in dco hzebi
contene**

Banc Reg. contene parae habemus put p idem brebe
nobis p̄cipitur.

Black.

Offic. Brev. 112.

Qd' Def. est detent' virtute Extent' & committitur superinde.

Infranominat C. B. cape fuit per C. B. Ar nup Die B. infralpec in Executone p̄ 300 vers eum extene virtute cuiusdam Statue Mercat ad lectam D. L. super quod quidam Extent' p̄fate nuper Die delibabit mihi R. C. Ar' modo Die Comd p̄d corpus p̄dice C. B. in Comuni Gaola existend Et hec est causa caption' & detent' corporis p̄ C. B. in Gaola p̄dice cuius quidem corpus ad diem & locum infracontene parae habet put istud brebe in se exigit & requirit.

Committitur
intra.

Postea scilt die veneris, &c. extunc p̄ quem cora Dno Rege apud Westm p̄ C. B. p̄fens hic in Cur sub custod' War, &c. ad petikō p̄dice D. L. committur custod' eidem War in Executone virtute Statuti p̄dice p̄ p̄dice 300 l. ibidem remansu' quousq, &c. Vide Thes. Brev. 132. Brev. Judic. 117, 120.

Habeas corpus & detentus per Latitat.

N. Ego H. M. Bari Die Comd p̄dicte serenissimo Dno Regi ad diem & locum in brevi huic Schedul annex' specificae humillime certifico quod ante adventum istius brevis mihi directe infranominat C. f. in brevi p̄dicte mentionat detent' existit in Persona dicti Dni Regis sub Custodia mea virtute cuiusdam brevis dicti Dni Regis de Latitat

The New Retorna Brevium.

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Banc Reg.

Latitac^o s^us eundem Robere ad sextam M. de placito transgress^o acetiam hille ipsius M. A. s^us ipsum C. p^{ro} ducentis libris de debo retorn^o coram dicto D^{no} Rege apud Oxon^o die Lune p^{ri} post Crastinum Purification^{is} beate Marie.

Et hec est causa captionis & detentionis p^{ro}dice C. corpus tamen ejusdem C. coram D^{no} Rege ad diem & locum in h^{ab}evi p^{ro}dice specificat parat habeo p^{ro}ut interius mihi p^{re}cipitur. Offic. Brev. 223.

Aliter.

It. Corpus infranominat^o M. B. per me p^{re}cepte & sub Custod^{ia} mea detene coram Justic^{ia} infrascripte ad diem & locum infracontene parat habeo p^{ro}ut interius mihi p^{re}cipitur.

J. T. Ar. Vic^o.

Offic. Brev. 220.

Habeas corpus post Cepi per diversa alia brevia, &c.

It. Virtute istius h^{ab}ebis mihi direct^o Cepi corpus infranominat^o C. T. cujus quidem Corpus remanet in Gaola in Com^o p^{re}dicte sub Custodia mea virtute diversor alior^u h^{ab}evium mihi direct^o Ideo corpus p^{ro}dice C. coram Justic^{ia} infrascripte ad diem & locum infracontene sine h^{ab}evi de habend^o corpus cum causa habere non possum p^{ro}ut interius mihi p^{re}cipie. Offic. Brev. 220. vide ibid. 117.

Special Retorn of a Habeas Corpus & Languidus.

It. Ante adventu istius h^{ab}ebis mihi direct^o infranominat^o M. B. cape & arrestat fuit per me

Banc. Reg.

me subscripe **Vic** tam virtute seperat bre-
vium dñi **Dnd Regis de Capias** super se-
perat Statute Statut ac virtute seperat al-
brevium dicti **Dnd Regis Et Prisonis dñi Dnd**
Regis sive Gaole sue de M. in Comd meo in-
frascripte sub Custodia mea per me eundem
Vic super brevi pñd in Executione Commissi-
cujus quidem **A. B.** corpus tam ad seperat
retornd pñd seperat breve quam postea huc-
usq in Gaola pñd remansit & adhuc rema-
net in Executione Languis & infirmus Et sic in
Prisona pñd existens virtute istius brevis
corpus ipsius **A.** etiam Cepi & arrestavi sed
corpus ejus adhuc adeo Languis est & tunc
infirmatibz cruciae sub Custodia mea Ita-
q corpus ejus coram Dño Rege infrascripte
ad diem & locum infrascripte absq mortis
periculo habere non possum.

P. E. M. Vic.

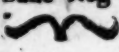
Retorn' brevis de Habend' Corpus cum
Causa.

Virtute
Warranti
Justic' Pa-
cis.

N. Ante adventum istius brevis mihi di-
rect' infranominat **A. B.** commissus fuit
Gaole & Prisonis **Dnd Regis** Castri sui Win-
ton in Comd **S.** infrascripte sub Custodia mea
virtute cujusdam Warranti sub manibus **E.**
D. & **F.** duor Justic dicti **Dnd Regis** ad pa-
cem in Comd pñd conserband neqñ ad vi-
berla felon transgressionis & alia malefacta
in eodem Comd perpetrare audiend & termi-
nand assign' gred' dñe (tali die) anno infra-
scripe pro quibusdam transgressionibz & con-
tempe contra formam Statuti pro punitione
vagabund & pro relevamine pauperum & im-
potent' edic. Et hec est causa captionis & de-
tentonis ipsius **A.** corpus tamen pñd **A.**
ad

The New Retorna Brevium.

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diem & locum infracontene paratum habeo Banc' Reg'.
put interius mihi precipit. Wilk. Lat. 132. 
Offic. Brev. 232. Dalc. 254.

Def. deliberat' per Superfed', &c.

Virtute, &c. Cepi Corp' A. B. infrañoiac
& ipsum ad Gaolam Dñd Regis Castri sui
de D. comissi ibidem salvo custodiend, &c. qui
postea preterru cujusdam alterius brevis
dñi Dñd Regis mihi direce & huic brevi an-
ner' a Prilona ill' deliberari feci. Vide
Kitch. 258.

Aliter.

Postea, viz. tali die & anno p'textu cujus-
dam alterius brevis dñi Dñd Regis mihi di-
rece cujus transcripe vobis mitto huic brevi
aniter' Et ideo Corpus pdice A. C. coram
Justic' infrascripte ad diem & locum infra-
contene habere non possum prout interius
mihi precipit. Ibid.

Qd' Def. fuit Commis' per Mittimus Justic'
Pacis'.

Ego C. B. Ac Dic Comd pdice Dñd Regi
infrascripte humillime certifico qd ante ad-
vent' istius brevis mihi direce J. M. in dño
brebi nominat' Comis' fuit Custos mee per
quoddam Mittimus ab E. H. Bar & C. C.
Et duobus Justic' Pacis dñi Dñd Regis in
Comd pdice Tenor' cujus quiddm Mittimus
sequitur in hec verba.

Kanc' ff. To the Keeper of the Gaol for the
said County of Maidstone in the said
County

Banc. Reg.

me subscripe Die tam virtute seperat bre-
vium dñi Dñd Regis de Capias super se-
perat Statue Statut ac virtute seperat al-
brevium dicti Dñd Regis Et Prisona dñi Dñd
Regis sibe Gaole sue de M. in Comd meo in-
frascripte sub Custodia mea per me eundem
Die super brevi pzed in Execucion Comiss
cujus quidem A. B. corpus tam ad seperat
retoz pdice seperat breve quam postea huc
usq in Gaola pdice remansit & adhuc rema-
net in Execucione Languis & infirm Et sic in
Prisona pdice existend virtute istius brevis
corpus ipsius A. etiam Cepi & arrestavi sed
corpus ejus adhuc adeo Languis est & tane
infirmatibz cruciae sub Custodia mea Ita
q corpus ejus coram Dño Rege infrascripte
ad diem & locum infrascripte absq mortis
periculo habere non possum.

P. E. Mil. Vic.

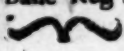
Retorn' brevis de Habend' Corpus cum
Causa.

Virtute
Warranti
Justic' Pa-
cis.

N. Ante adventum istius brevis mihi di-
rec' infranominat A. B. commissus fuit
Gaole & Prisona Dñd Regis Castri sui Win-
ton in Comd S. infrascripte sub Custodia mea
virtute cujusdam Warranti sub manibus C.
D. & F. duor Justic dicti Dñd Regis ad pa-
cem in Comd pdicto conservand nection ad di-
versa felon transgressiones & alia malefacta
in eodem Comd perpetrat audiend & termi-
nand assignd gered dac (tali die) anno infra-
scripe pro quibusdam transgressionibz & con-
tempe contra formam Statuti pro punitione
vagabund & pro relevamine pauperum & im-
potent edic. Et hec est causa captionis & de-
tentonis ipsius A. corpus tamen pzedice A.
ad

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diem & locum infracontene paratum habeo ^{Banc Reg.}
put interius mihi precipit. Wilk. Lat. 132. 
Offic. Brev. 232. Dalt. 254.

Def. deliberat' per Superfed', &c.

Virtute, &c. Cepi Corp' A. B. infrañoiar
& ipsum ad Gaolam Dñd Regis Castri sui
de D. consili' ibidem salbo custodiend', &c. qui
postea p'textu cuiusdam alterius brevis
dñi Dñd Regis mihi directe & huic brevi an-
nex' a Prisona it' deliberari feci. Vide
Kitch. 258.

Aliter.

Postea, viz. tali die & anno p'textu cuius-
dam alterius brevis dñi Dñd Regis mihi di-
recte cujus transcribere vobis mitto huic brevi
annex'. Et ideo Corpus pdice A. C. coram
Justic' infraferre ad diem & locum infra-
contene habere non possum prout interius
mihi precipit. Ibid.

Qd' Def. fuit Commiss' per Mittimus Justic'
Pacis?

Ego C. B. Re Vie Com' pdice Dñd Regi
infraferre humillime certifico qd ante ad-
vent' istius brevis mihi directe J. M. in dño
brevi nominat' Commiss' fuit Custos mee per
quoddam Mittimus ab E. H. Bar & C. C.
Et duobus Justic' Pacis dñi Dñd Regis in
Com' pdice Tenor' cujus quiddam Mittimus
sequitur in hec verba.

Kanc' ff. To the Keeper of the Gaol for the
said County of Maidstone in the said
County

The New Retorna Brevium.

County, and to his sufficient Deputy;
 We send you herewithal the Body of
John Merriam of *Horsmonden* in the
 said County Taylor, charged by *Robert T.* of G. in the said County La-
 borer with speaking Dangerous and
 Seditious Words, of, and against his
 Majesty, (*viz.*) That the King did up-
 hold as much Popery now in *England*,
 as ever was upheld in *Rome*, straight-
 ly charging and commanding you in
 his Majesty's Name to receive him
 into safe Custody, and him safely to
 keep in the said Gaol, until he shall
 be thence delivered by due Order of
 Law; Hereof Fail not at your Peril.
Given under our Hands and Seals at Cr.
the 29th of September, 1661.

**Et hec est Causa captionis & detentionis
 pdicti Johis Merriam sub Custod mea comp
 tamen ipsius Johis Merriam parac habeo put
 istud bvebe in se requirit.**

T. B. Ar. Vc.

Offic. Brev. 231.

The like upon a Commitment by Order of
 Sessions.

**N. Ego T. B. Mi Dic Comd pdice Ser-
 missimo Dno Regi ad diem & locum in huius
 huic Schedule annex' mentionat certifico qd
 ante adventu dicti hvebis infranominat A.W.
 J.W. J.B. & C.C. Commiss' & detene fuer
 in Prisona dicti Dnd Regis sub Custod mea
 per quendam ordinem face per Justic dicti
 Dnd Regis ad Pacem suam in Comd pdice
 conservand necnon ad diversa felon' transg &
 al**

et malefacta in eodem Com^o Cane perpetrat^{ur} Banc. Reg.
audiens & terminans Assign^o ad General^{em}
Session^{em} Pacis dicti Dⁿⁱ Regis p^{ro} Com^o p^{re}s-
tente apud Maidstone in Com^o p^{re}dice die Mar-
tis in prima Septim^a p^{ro} post Claus^{um} Pasch^e
anno Regni ejusdem Dⁿⁱ Regis sextodecim^o
cujus quidem ordinis tenor^{is} sequitur in hec
verba.

Hanc s^{ententia} Hallendar Prisonar^{um} ad Genera-
lem Sessionem Pacis Dⁿⁱ Regis p^{ro} Com^o
p^{re}dice tene apud Maidstone in Com^o p^{re}dice die
Martis in prima Septimana post Cl^{ausum} Pas-
che anno regni Domini nostri Caroli secund^o
nunc Regis Anglie, &c. decimo sexto annoq^{ue}
Domⁱⁿⁱ, 1664.

*A. W. J. W. J. P. and T. C. are Convicted
for absenting themselves from Church,
and therefore are to remain in Gaol un-
til they do conform, &c.*

Et hec est Causa detentionis, &c. Offic. Br. 231, 232.

The like upon the Commitment of a Corpo-
ration, and Justice of Peace.

N. Ego D. P. N^{ost}r^{is} Die Com^o p^{re}dice Vere-
nissimo D^{no} Regi ad diem & locum in h^{abitu}bi
dicti Dⁿⁱ Reges mihi direct^{is} & huic Schedul^e
annex^e specificac^{is} humillime certifico q^{uo}d ante
adventum istius h^{abitu}bis mihi directi scilicet
octavo die Januarij anno Regni d^{omi}ni Domini
Regis nunc, (Ec.) Paulus Franc^{iscus} Marques
de Zabantine Marcus Antonius Puget
Miles de Malta & Nichus Magnus de la
Fountain in dicto h^{abitu}bi nominac^{is} Commissi
fuerunt Gaole dicti Domⁱⁿⁱ Regis de Maid-
stone in Com^o p^{re}dice sub Custodia mea vir-
tute

Banc. Reg.

Wtute cuiusdam Warranti sub manibus & sigillis Jacobi Woodcote Majoris Villar & Parochiar de Gravelend & Hilton in Com p'dice & Johis Watton Ar' unius Justiciarioꝝ dñi Dom Regis ad pacem infra villas & Parochias p'dictas conferend assignat cujus quidem Warranti Tenor sequitur in hec verba. To the Keeper of, &c.

Et hec est causa captoris & detentionis p'dicti P. F. M. de B. &c. in Prisona dicti Dom Regis sub Custodia mea & non al' corpora tamen eorundem P. F. M. de B. A. de P. Milie de Malta & P. M. de la f. coram dño Dom Rege ad p'dice locum in hzebi p'dice specificae parae habeo put per idem hzebe mihi p'cipitur. Offic. Brev. 231, 232.

The like upon a Sessions Order for a Fine, and Pillory, and an Action of Debt for 20l.

N. Virtute istius hzebis mihi directe & huic Schedul annex' Serenissimo Domino Regi in eodem hzebi nominat ad diem & locum in eodem hzebi specificae humillime certifico qd ante advene dicti hzebis C. G. in eodem hzebi montanac commissus & detene fuit sub Custodia mea per quendam ordinem face ad Generalem Gaule delibatoꝝ dñi Dnd Regis p Com p'dice tene apud Maidstone in Com p'dice die Martis scilicet vicesimo Septimo die Marcij anno regni dñi Dom Regis decimo octavo cora Samuele Browne Mil uno Justic dicti Dnd Regis de Banco & Thom Lee Ar' Justic ipsius dñi Domini Regis ad Gaolam suam Com hanc p'dice de Prisonar' in ea existend deliband assignat Tenor

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Hanc. Reg.

Tenoꝝ cuius quidem **O**rdinis sequitur in hac parte, for speaking Seditious Words against his Majesty, E.G. fined 100 l. and committed until he pay the same, and must be set on the Pillory three several Days in the Town of *Maidstone*, from Eleven of the Clock in the Forenoon, till One of the Clock in the Afternoon on every of the same Days, with a Paper over his Head shewing his Offence, and then must find good Sureties to appear at the next Gaol-delivery to be holden for this County, and in the mean time to be of the Good-behaviour. **A**ccetiam p̄dice **E. G.** detent̄ existit in Prisona dñi Dñi Regis sub custod̄ mea virtute cuiusdam bzevis dñi Dom̄ Reḡ de Latitat h̄ eund̄ **E.** ad lectam **J. N.** de placito trans̄ Accetiam bille ipsius **J.** vers̄ ipsum **E.** p̄ 20 l. Rec̄ coram Dom̄ Rege apud Westm̄ die jobis p̄ post quinden̄ Martini ule p̄tererie Et he sunt caus̄ capt̄onis & detent̄on̄ p̄dice **E. G.** sub custod̄ mea Corpus tam̄ ipsius **E.** coram Dñō Rege supradice ad diem & locum in bzevi p̄dice ment̄onae parat̄ habeo prout istud bzeve in se exigit & requirit. Vide Offic. Brev. 232, 333.

Retorn' per Vic' London' qd' Def. est detent' virtute Querel' coram Un' Vic'.

Postea scilicet 20 die Auḡ anno regni Dom̄ Reg' nunc 14 ven̄ corā Capital̄ Justic̄ apud Camerā suam p̄dice p̄dictus **R.** in p̄p̄r' p̄sona sua sub custod̄ p̄lac̄ Die ac iidem Die videlicet **f. M. & S. S.** eidem Capital̄ Justic̄ certificabant qd̄ ante addventum bzevis p̄dice sibi direct̄ scilicet 21 die Julij anno 14 supradice p̄dict̄ **R. G.** in p̄dict̄ bzevi nominat̄ capt̄ fuit

U 4

apud

Banc. Reg. apud **L.** p̄dict & in Pr̄sona d̄ci Dom̄ Regis
 sub custodi sua detentē virtute cuiusdam que-
 rel' vers' ip̄m p̄ nōm **R. G.** ad lect' **J. R.**
 Quā in Cur' d̄ci Dom̄ Reg' 17 die Julij anno
 suprad' coram p̄lac' **J. M.** Ad Vic' Civit' p̄
 tenē lebat in placito Comp̄d de & super re-
 ceptō 21 l. & 9 s. in pecuniis numeratis &
 diversorum bonorū & catallorū ad valenc' 30 l.
 Et qd̄ hec fuit Causa captōnis ip̄ius **R.** in
 Pr̄sona & sub custodi p̄dict' cuius quidem cor-
 pus coram p̄lac' Capital' Justic' parac' puer'
 put per b̄ve illud sibi p̄cept' fuit, &c. Vide
 Offic. Brev. 114. Et Def. superinde M̄am
 cape fuit.

Aliter per Vic' London'.

N. Executio istius b̄veis patet in quadd
 Scheda hui' b̄vei Annex' Respon̄ **J. J.**
 & **M. R.** Dic.

Retorn of a *Habeas Corpus* by the Sheriffs of
London, that the Defendant is detained upon
 an Action of the Case for 50 l. damages.

London' **N.** Pos **J. C.** & **M. R.** Dic **L.**
 Johanni Banks militi Capit' Justic' Dom̄
 Regis de Banco in b̄vei hui' Schedule an-
 nex' nominat' certificamus qd̄ ante adventū
 nobis p̄dict' b̄veis scilicet 26 die Maij anno
 regni d̄ci Dom̄ Regis nunc Angl', &c. Thom̄
 Weaver in d̄co b̄vei nominat' capt' fuit apud
 London' p̄dict' & in Pr̄sona d̄ci Dom̄ Regis
 scilicet Computatorio scituat' in Woodstreet
 London' sub Custodia nostra detentē virtute
 cuiusdam querele vers' ipsum per nomen
 Thom̄ Weaver Statoner ad Sectam Caroli
 Green in Cur' d̄ci Dom̄ Reg' in Computa-
 torio

topio p̄dict 21 die Jan̄ anno regni d̄i Dom̄ ^{Banc' Reg.}
Regis nunc Angl', &c. 16 coram me p̄fate
Johann̄ Cowle uno Dic̄ Civit̄ p̄dict̄ tēte le-
bat in placie transgr̄ sup̄ casum de dampnis
50 l. unde partes p̄ placitaver̄ ad patriā
Et sic dictum placitū pendet indiscuss̄ Et hec
est causa captionis & detentionis p̄fate T. W.
in Prisona p̄dict̄ sub Custodia nostra Corpus
tamen ejusdem T. coram p̄fate Justic̄ parae
habemus.

M. infranominat̄ T. W. Andreas Crooke
de Parochia S̄te Fidis London̄ Statoner &
Willus Lambert de Parochia S̄ti Michis
in la Royal L. Statoner.

Uterq; M. in Centum libris Cape & Cogit
ultimo die Aprilis anno 16 Caroli Regis
coram Edmundo Reeve.

The like Retorn by the Bishop of Winton's
Steward of the Cheney Court upon a Plaint
of 20 l.

Stoke ff. Veni fople Arm̄ ballius reve-
rendi in Christo patris Dnd Walteri Ep̄d
Winton Cur̄ sue de le Chepney Court Justic̄
Dnd Regis de Banco certifico qd ante ad-
ventum istius brevis huic Schedule annex̄
videlicet 19 die Januarij anno Regni Dom̄
nostri Caroli dei gratia Angl' Broc Franc
& Hiber̄ Regis fidei defensoris, &c. 18 Ven̄
coram me p̄fate ballibo quidam S. A. &
levasset coram me in Cur̄ p̄dict̄ quandū que-
relam suam s̄lus D. W. in brevi p̄ nominat̄
de placito transgr̄ super Casum ad damnum
20 l. que quidem querela remanet coram me
p̄fate ballibo in Cur̄ p̄dict̄ adhuc indiscuss̄ Et
hec & nulla alia est causa captionis & deten-
tionis

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Woniam ejusdem J. W. Corpus tamen ejus
coram Justiciis dicti Domini Regis ad diem &
locum infracontene parat habeo put interius
mihi precepitur. H. F. Ball. Ibid.

The like Retorn by the Mayor of *Canterbury*
upon a Plaint of 20 *l.* levied in his Court.

N. Ante adventum istius brevis mihi di-
recte scilicet 17 die Julij anno regni Dom-
nostri Caroll nunc Regis Angl, &c. 13 in-
fracontene Thom & Agnes capti fuerunt in
Civitate Cantuar & in Prisona Dom Regis
ut dicitur detent virtute cujusdam querele
versus eisdem T. & A. in Cur Dom Regis
coram R. W. nuper Major ejusdem Civit-
atis decimo septimo die Julij in Guibalda
ibm tene lebae & affirmat ad sextam W. H. &
R. C. in quodam placito transge super ealium
ad dampnum ipor W. & R. 20 *l.* Et sic pla-
citum illud ad presens coram me nunc Ma-
jore pendet & residet indecis coram tamen
dicto T. & A. coram Dom Rege parat heo
ad diem & locum infracontene put interius
mihi precepitur.

W. D. Major.

Vide Thes. Brev. 133. Major, &c. retorn
qd Dcf. fuit in exetuton & amerc gula
non habuer corpus ad diem.

The like upon a Plaint levied in the Court of
the Archbishop of *Canterbury*.

Pallac'
Dom'
Archbi'
Cantuar'.

N. Dom Regi certifico qd ante adventum
istius brevis mihi directi & huic Schedule
annex' scilicet ad Cur ibm tene 12 die Junij
anno regni Dom Regis nunc 9 M. T. vidua
in

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Banc. Reg.

in brevi illo nominat capte fuit infra libertatem Cur p'dice Archiepiscopi Pallacij sui p'dice & in Prisona ibidem detent virtute cuiusdam querele versus ipsam ad sextam H. F. in placito transge super casum, &c.

Detent est etiam eadem M. T. vid virtute cuiusdam alterius querele versus ipsam lebae per nomen M. T. vid Adm bonot & catallor que fuer E. T. qui obijt intestae ut dicitur ad sextam p'dice H. F. in placito transge super casum.

Et he sunt cause captoris & detentoris ejusdem M. T. corpus tamen ejusdem M. T. coram Dom Rege ad diem & locum in brevi p'dice Spec parae habeo put mihi precipitur. E. H. Senlus.

The like upon a Plaint of 4 l. 19 s. levied in the Palace Court of *Westminster*, (alias *Marshalsey*,) which Sum being under 5 l. the Judges of the said Court refused to send the Prisoner's Body to the Judges Chamber according to the Tenor of the Writ, alledging in excuse an Act made in the 21 Year of King *James* the first.

ff. Nos Jacobus Dux Ormond Senellus Hospicij Dom Regis Edward Villers, Miles Marecallus ejusdem Hospicij & Jacobus Butler, Miles Senellus dñe Cur Dom Regis Palacij Regis Westm Iudices ejusdem Cur Johanni Powell Mil Ad Justic Dom Regis ad placita in Cur dñi Dom Regis coram ipso Rege tenend assign certificamus qd ante adventum nobis brevis Dom Regis huic Schedul annex' scile 9 die Julij anno regni dñi Dom Regis nunc tertio Thom Pe-
chey

Cur. Palac.
Regis apud
Westm.

Banc. Reg.

chep in dco hiebi nominat capē fuit apud
 Southwarke in Com. S. ac infra Cur. Cui
 p̄dict ac ibidem in Prisona Dom. Regis sub
 custod. nostra detent. existit virtute cuiusdam
 querele versus ipsum per nomen C. P. in
 dca Cur. lebat. ad sextam Marie Witton de
 placito transgi. super calum (p̄ quadd. trans
 super calum per p̄dictam C. Plus p̄fac. M. a
 pud S. in Com. S. ac infra Cur. Cui p̄dict
 illac) ad dampnū ipsius Marie 4 l. 19 s.
 que quidem querela adhuc in Cur. p̄dicta
 pendet indeterminat. Et non concernit liber-
 tenementum vel hereditariū seu titulum terre
 dimissionis vel redditus Et hec est sola causa
 captivonis & detentoris p̄fac. C. in Prisona
 Dom. Regis sub custod. nostro nesc. p̄fac. Ju-
 dices ulterius certificamus qd p̄dicta Cur.
 Dom. Regis Palacii Regis Westm. est & di-
 ante adventum nobis p̄dice hiebis Dom. Re-
 gis huic Schedul. annex. nec non tempore
 levationis querele supramentionat. ac diu an-
 tea fuit Cur. de Recordo & per totum temp.
 p̄dictae habuit potestatem & auctoritatem te-
 nendi placitum p̄dictum unde querela p̄dicta
 ut p̄fertur lebat. fuit Et qd p̄dice Jacobus
 Butler miles est & tempore levationis que-
 rele p̄dice & semper postea hucusq. fuit Se-
 neschall. ejusd. Cur. ac unus Judic. Cur. il-
 lius ac tempore levationis querele p̄dictae idem
 J. B. fuit Barrister in lege erudit. de Se-
 nioritat. (Anglice of the standing) Trid. an-
 noz. & amplius ad harram de uno ex qua-
 tuor Hospitiis Curialibus videlicet de Hospi-
 cio Lincoln. ac ut hujusmodi Benell. &
 unus Judic. Cur. illius tempore levationis
 querele p̄dictae & continue postea quamdiu p̄-
 dictum placitum pendebat in eadem Curia
 p̄sens fuit & non fuit de concilio in causa
 p̄dictae

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pdice nec aliqua at actione scita sibe causa **Banc. Reg.**
 quacumq; in Cui pdicta pendent Et ideo &
 quia dampna pdicta in querela pdice menfo-
 nae non attingunt ad summa quinq; librarum
 corpus pzfaf C. P. unacum die & causa cap-
 tonis & detentionis sue virtute cuiusda acus
 in Parliamene Dom Jacobi nuper Regis
 Angl, &c. and regni sui 21 apud Westm in
 Com Midd tene in hujusmodi casu edic &
 pzbis coram vobis pzfaf Justic non ha-
 bemus juxta exigenc bzebis pdice.

Bluck.

Aliter per Ballivum Libertatis.

Ante adventum istius bzebis corpus infra-
 nominae B. S. cape fuit p R. C. Mi ballivum
 libertatis hundzed de C. in Com meo & non
 p me qui quidd ballib? libertae plenā habet
 execut omniū bzebid & Warr executabil' in-
 fra eandem libertatem & retoznd eozundem
 sub custod cuius ballibi libertatis idem B.
 S. est Ideo corpus ejusdem B. S. coram
 Justic infrascripte ad diem & locum infra-
 content habere non possum put interius mi-
 hi pcipitur.

C. D. Ar. Vic'.

Retorn' Habeas Corpus cum causa per Balli-
 vum Libertatis.

Executio istius bzebis patet in quadam
 scedula huic bzebi annex'.

Dom Regi humillime certifico quod ante
 abbene istius bzebis huic schedul' annex' cor-
 pus C. S. in eodem bzebi nominae cape
 fuit & per me detene est virtute Warrant Die
 Com. S. mihi directi virtute bzebis Dom
 Regis

Banc Reg.

Regis nunc sibi directi retornabit coram Dom^o Rege apud Westm^{onasterium} die veneris prox^{ima} post Octab^{as} S^{an}c^ti Martini ad respondend^{um} R. S. de placito trans^{act}o ac etiam velle ipsius R. S. pro 20 l. Super Obligatione.

Ac etiam virtute al^{terius} Warrane Dic^te p^{re}dict^e mihi directe virtute al^{terius} brevis dicti Dom^o Regis sibi directe retornabit coram Justic^{is} Dom^o Regis apud Westm^{onasterium} in Octab^{as} S^{an}c^ti Michaelis ad respondend^{um} R. S. de placito quod reddat ei 40 l. (vel de placito deb^{et}). Et he sunt cause captionis & detentionis p^{re}dict^e C. S. & non al^{terius} Corpus tamen ipsius C. S. coram W. N. Mil^{ite} in eodem brevi nominat^e ad diem & locum in brevi p^{re}dicto contene^{re} parat^e habeo p^{re}sent^{er} interius mihi p^{re}cipit.

R. Ar^{chiepiscopus} Ball^{ius} Liber^{us}?

Pota, Breve p^{re}dict^e dirigend^{um} est ballivo libertatis sed non die ac si breve sit retornabile coram Dom^o Rege apud Westm^{onasterium} tunc sic (hiz.) Corpus tamen ipsius C. S. coram Dom^o Rege ad diem & locum in eodem brevi contene^{re} parat^e habeo p^{re}sent^{er} interius mihi p^{re}cipitur.

Aliter secund^{um} Clift's Ent. 371. per Sen^{atorem} illum.

Ego Thom^{as} Jermyn capitalis Sen^{ator} illius libertatis de W. S^{an}c^ti Edm^{undi} in Com^{itatu} S. in brevi ad quod hec S^{chedula} annex^a est Dom^o Regi apud Westm^{onasterium} ad diem & locum in eodem brevi contene^{re} humillime certifico Qu^{ia} ante adventum brevis illius mihi, et. scilicet 12 die Octobr^{is} anno regni Dom^o Regis nunc 10 J. D. in p^{re}dict^e brevi nominat^e cap^{itulum} fuit per me p^{re}lat^e Sen^{atorem} illum infra libertat^e p^{re}dict^e & in

Prisona

Prisona dei Dom Regis sub custodia mea de-
tente existit virtute cuiusdam Warrant per
Die p̄dice Com B. sub sigillo Officij sui
mihi directe super quoddam breve dei Dom
Regis de capias ad respondens & Cur ipsius
Dom Regis de Com Banco apud Westm
emanens vers eund J. retornabile in eadem
Cur de Banco a die S̄ti Michis in tres sep-
tianas tunc p̄ sequens ad sextam C. f. de
placito trans super casum super assumpto-
nem Ad dampnum ipsius C. 150 l.

Capt est etiam idem J. B. per me prefat
Senllam infra libertat p̄dict & in Prisona dei
Dom Regis sub custodi mea detente existit
virtute cuiusdam al Warrant per Die p̄dice
Com B. sub sigillo Officij sui mihi directe
super quoddam al breve dei Dom Regis de
Capias ad respondens e dea Cur ipsius Dom
Regis de Com Banco apud Westm p̄dice e-
manens vers eund J. retornabile in eadem
Cur de Banco in p̄dice tribus sepe S̄ti Mich
ad sext A. G. de placito trans ac etiam in
quodam placito trans super casum super as-
sumptionem ad dampnum ipsius A. 121 l.

Capt est etiam idem J. B. per me prefat
Senllam infra Libertat p̄dict & in Prisona dei
Dom Regis sub custodi mea detente existit vir-
tute cuiusdam al Warrant per Die p̄dice
Com B. sub sigillo Officij sui mihi directe su-
per quoddam al breve dei Dom Regis de
capias ad respondens e dea Cur ipsius Dom
Regis de C. B. apud W. p̄dice emanens vers
eund J. retornabile in eadem Cur de B. in
p̄dict tribus Sepe S̄ti Mich ad sext A. N. vid
de placito trans accciam in quodam placito
trans super casum super assumptionem ad
dampnum ipsius A. 35 l.

Et

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Et he sunt cause captionis & detentionis. **Indic**
J. B. cujus quidam **J.** corpus coram die
 Dño Rege ad diem & locum in brevi p̄d'
 Ad quod hec Breedula annex' est content' pa-
 rat habeo put p p̄d' breve illud mihi p̄eci-
 pitur.

Aliter per Senll'um Cur' Hundr' in Com' Cestr'
 qd' breve exequi non potuit.

R. H. **Ac** Senllus Cur in brevi Dñi Re-
 gis & Dñe Regine cui hec Breedula est men-
 tionat Justic ipsorū. Dñi Regis & Dñe Re-
 gine apud **M.** humillime certifico qd eadem
 Cui tenet est & semper tenet fuit infra hundi
 in eodem brevi spec' **Ac** hunde ill' est ac a tēd
 ruz' contr' mem' homin' non existit fuit infra
 Com' Palatin' Cestr' & parcell' ejusdem Com'
 infra quem quidem Com' Pal' breve Dñi Re-
 gis & Dñe Regine non currit nec currere so-
 lebat nisi humod' breve Camerario Com' Pal'
 ill' sibi ej' ibide' loc' tenend' dirigat **Quia** Ego
 p̄dice Senllus aliquod breve Dñi Regis &
 Dñe Regine nisi id sigillo Com' Palatin' p̄
 sigillat' fuit infra Jur' p̄dice Cur' hundi seu
 alicubi infra Com' Pal' p̄d' exequi non
 possum **Et** ideo corpus **R. H.** in p̄dice breve
 cui hec Breedula annex' est nominat coram
 p̄lac Justic ad diem & locum infracontente
 here non possum put interius mihi p̄eci-
 pitur. Vide Clift's Ent. 372.

Aliter per Ballivum Libertat' Westm'.

Ego **M. C.** **Ac** Ballivus Libertatis De-
 can' & capituli Eccle' Collegiac' bti Petri
 Westm' **C. J.** **Ac** und Justic Dñd Regis ad
 placita

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Banc Reg.

placita coram ipso Rege tunc Amos per
millime certifico quod ante adventum dñi dñi
Dñi Regis mihi directe quod hunc Schepul
annex est scilicet 4 die Febr anno regni Dñi
Car 2 nunc Regis Angl. et. 34 A. D. in
pñice hzebi nominat capte fuit p me pñice
ballibum infra libertate pñice & in Prisona
dñi Dñi Regis sub custod mea detent existit
virtute cuiusdam Warranti per Die pñice
Com Adm sub sigillo Officii sui mihi directe
super quoddam pñice vocat Dñi Adm re-
tornabile coram dñi Dñi Rege apud W. die
June pñice post Octab pur bte Marie ad re-
spond C. D. de placito trans Acciam Bill
ipñice W. vers pñice A. p. 40. de deho se-
cundum Com Cur dñi Dñi Regis coram ip-
so Rege exhibent.

Detent est etiam idem A. C. in eadem
Prisona dñi Dñi Regis sub custod mea vir-
tute cuiusdam al' Warranti. et. (ut supra
mutatis mutandis.)

Capte est etiam idem A. C. per me pñice
ballibum infra libertate pñice A. in Prisona
dñi Dñi Regis sub custod mea detent existit
virtute cuiusdam al' Warranti. et. (ut supra
mutatis mutandis.)

Et he sunt Cause capto corpore pñice
A. D. cuius quidem corpus coram pñice
supranbie parat habet per pñice hzebe
huic Schepul annex mihi precipitur. Vide
Cliff. 373.

Retorn sur Mandavi Ballivo Liberatis Epi.

Virtute istius hzebis mihi directe Mandavi
Ballivi Liberatis de B. Episcopo C. ad
capiend & arrestand infranominat J. S. in
fortia infrascipe qui plenum habet retorn
X omnia

Tunc New Returna Brevium.

omni die huiusmodi & precepte & Creditus eorum
infra libertas de &c. quod nulla Creditus illius
huiusmodi per me fieri potest infra eandem liber-
tatem. Qui quidem ballivus nullum mihi ad-
huc dedit responsum.

Or thus: — Qui mihi respondit quod infra
nominat J. A. non est interius in balliva sua.

Or thus: — Quod cepit corpus infranominat
J. A. cuius quidem corpus ad diem & locum
infracentent parat habet ad faciendum ea omnia
que istud breve in se exigit & requirit. Dalt.
254. Kitch. 258. Wilk. Lat. 133.

Return' per Constabular' Castri Dover.

Iustic Dnd Regine infrascripte certifico quod
corpus infranominat P. G. ad diem & locum
infracentent parat habeo prout interius mihi
precipitur.

Respons Dnd C. Custos Dnd Regine Ca-
stri sui Dover ac Custos quing portuum
suor. Vide Brev. Judic. 112.

Aliter per Custod' de Fleete.

Iustic infrascripte certifico quod corpus infra-
nominat W. P. in Prisona Dnd Regine de
Fleet parat habeo ad diem & locum prout in-
terius mihi precipitur.

Respons W. R. R. Gardiani Prisona P.
Vide return' & enlargement de Prisoner del
Fleet commit per Commissionat Ecclesiast.
Id. 122.

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Sur Cap' ult' Vic' Return' qd' Def. non sibi
deliberat' fuit, &c.

Infraſcribat C. R. ante additioe huius inſcri-
bendi fuit per C. R. Ne nuper die Com' in-
ſcribere Predeceſſor meum Cui quidem nunc
die corpus p'dice C. R. in ejuſ' erit ab Offi-
cio ſuo mihi non deliberabit Per huius corpus
ejuſdem C. R. coram Juſtice inſcribere ad
diem & locum inſcribentem habere non poſſo
p'nt interius mihi p'cepitur. Idem 113.

It may further be obſerved, as is mentioned
in the *Compleat Sheriff*, from fol. 169. concern-
ing theſe Writs of *Habeas Corpus*.

Id. fol. 169. That they are of two ſorts, viz.
A *Habeas corpus ad ſubjiciend'*, which is granted
in the *Queen's Bench* on the Criminal ſide, be-
tween the Queen and Party, and *Habeas corpus*
ad respondend' *recipiend'* or *faciend'* granted on
the Plea ſide, between Subject and Subject.

2. That a *Habeas corpus ad respondend'* is cal-
led a *Habeas corpus cum cauſa*, to remove the
Prifoner and all the Cauſes that are againſt him.

Id. fol. 170. Is ſet forth what ſhall be ſaid to
be a good Return, on a *Habeas corpus cum cauſa*,
and that it may be amended before it is filed,
but not after. *Vide* 1 *Leon.* 145. *Sed vid.* *Hobp.* 113.

That the concluſion thereof ought to be *corp'*
tamen ejus parat' habeo, tho' it cannot always be
ſo. 1 *Leon.* pag. 70. 3 *Keb.* 229.

Id. 171. That the cauſe of commitment ought
to be ſhewn, and that the Court will not diſ-
charge ſuch as are arreſted by *Proceſs* of the
Exchequer, or *Common Pleas*, &c. before they
have found Sureties for their Appearance. *Vide*
1 *Leon.* 145.

X 2

That

Banc. Reg.

That a Retorn was by the Warden of the Fleet, *Propter contempt' extra Cur' Cause*, and not good. 1 *Rolls Rep.* 92.

Id. 172. That the Retorn ought to be on Parchment. *Hab. pag.* 113.

The Retorn was, That the Justices committed him for a Fine, and the Court awarded him to remain in Prison till Payment. *Vide* 1 *Leon. pag.* 70. the Retorn on a *Habeas corpus* was a Protection.

Id. 173. That the Court of *Queen's Bench* made a Rule for the Warden of the Fleet to bring in the Body the next Day *sub pana* 20 *l.* where he had not retorned his Writ at the Day; and that so are all Presidents of Felony and Treason.

That if it appear the cause and commitment be good, the Court remands the Prisoner, and if not they discharge him, and if it be doubtful they Bail him.

It is also further observed in *Dalton's Abridgment*, fo. 158. a. That these Writs of *Habeas corpus* and *Corpus cum causa*, are to be executed by the Sheriff, notwithstanding any commandment to the contrary from the Lord Chancellor, or other Subject whatsoever.

And fo. 158. b. He adds, *inmo coment del nostre Seignior le Roy mesme desoubz son Privy Seale, ou auter son ordinary power quant al execution de Justice, except tamen le absolute power del Roy*: And if the Sheriff shall surcease to execute the Queen's Writ upon any such ordinary commandment, the Sheriff shall be amerced, &c.

Yet note, It is allowed in *Comp. Sheriff* 173. That upon a *Habeas corpus* the Sheriff may suggest, that the Party will not pay his Charges of Retorn of *Habeas corpus ad faciend' & recipiend'*, but *contra* in *Habeas corpus ad faciend' & subji-*

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subiunctus, for this he must retorn at his peril. *Banc. Reg.*
1 *Reb.* 272, 280. *1011 A*

That on a *Habeas corpus* to remove any Prisoner, the Sheriff must retorn the Writ, and the Court will allow his Charges, and compel payment, if the Officer and Prisoner, or Plaintiff cannot agree, on Payment be not made according to the Agreement *S. T. Jones*, pag. 178.

Note, That for the general directions of Writs of *Habeas corpus*, *Error* or *Privilege*, they may be found in *Theaurus Brevium* last published, *Compleat Attorney*, and several other Tracts.

Habere facias seisinam, &c.

Vide ante Tit. Dower, & vide Offic. Brev. 352, 355. & Brev. Judic. 105.

Virtute istius brevis mihi directe Justicie infrascripte certifico qd tali die & anno infrascripte Habere feci A. B. plenam Seisinam de uno messuagio cum pertinentiis in B. infrascripte in omnibus put istud breve in se exigit & requirit.

Aliter.

Virtute istius brevis mihi directe 26 die Octobris anno infrascripte Habere feci infrascripte P. B. plenam Seisinam de & in certis infrascripte cum pertinentiis put interius mihi preceptis.

X 3

Aliter.

Aliter:

*Writum, &c. tali die & anna infra scripte per
hunc & assignatus fuit infra scripte M. C. p[re]sent
Seisinam de man[er]io & tenetis infra scriptis in loca
convenienti, viz. de man[er]io de p[re]sent. 10 ann[is] term
100 per p[re]sent, &c. cum p[re]sent in p[re]sent. &c. in
Coud infra scripte secundum formam & effectum, &c.
Vide Dalt. 254, 255, &c. vide postea Seisin,
vide Thes. Brev. 105, 109, 235. rectit. del Sei-
sin Deliver.*

Seisin executed by one Sheriff, and returned
by another.

*Et sic videlicet A. C. modo mand[atum] q[uo]d p[re]s.
C. nuper die Coud p[re]sent p[re]decessor ipsius
nunc die Virtute h[ab]et p[re]sent sibi direct[um] tali
die (&c.) p[re]sent sibi p[re]sent fuit quod quiddam
h[ab]ere in forma p[re]sent servit & exerce p[re]sent
nuper die deliberabit eidem nunc die in
erit ab officio suo, &c. Brev. Judic. 109.*

*Note, That upon an Habere facias seisinam,
(or other Writ where Land is recovered,) it is
observed that the Sheriff may not make such
retorns as follows, viz.*

That there is no such Land, and that there-
fore he could not make Execution, &c.

Nor that a Stranger is Tenant of the Land,
and that therefore he could not, &c.

Nor that he against whom the recovery is
had, hath nothing in the Land, or is not Te-
nant thereof, &c. 6 Co. 52. Fitz. Ret. 91.

For its held, That upon an *Habere facias sei-
sinam*, the Sheriff ought to execute the Writ,
altho' that a Stranger be seized of the Land,
and

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and that in truth none of the Parties to the Writ were ever seized thereof, 6 Co. 52. Pl. fo. 12. b.

But upon an *Habere facias seisinam*, the Sheriff may make such returns as follow, viz.

That he offer'd to the Demandant seizin, &c. and that he refused it. *Dyer* 278.

That the Sheriff was Tenant of the Land, and that therefore he could not serve the Writ, &c. *Br. Ret.* 46.

That none came to receive Seisin, &c. *Fitz. Exec.* 248.

That none came *ex parte peten. ad offendend* Tenement, &c. but not if the same Sheriff made the Summons.

The Sheriff return'd that he could not deliver seizin because of resistance, made by J.B. and other Persons unknown, and was amerced, for that he might have taken *Posse comitat*, &c. and yet such return hath been allow'd, *Fitz. Exec.* 247. *Fitz. Suggest.* 15.

And its said the Sheriff may put the Party in Seizin or Possession, as followeth:

1. Of a House by the Ring of the Door: Or, the Sheriff may open him the Door of the House, and bid him to enter, &c. 5 Co. 91. *Park.* 43.

2. Of Land by a Bough, Twigg, Clod or the like upon the Ground.

3. Of a Rent by the Corn or Grass growing upon the Land, out of which the Rent is issuing: Or by distress of Cattle *Levant* and *Conchaut* there, but the said Cattle may not be driven off the Lands by the Sheriff or Party.

And it is noted, that upon an *Habere facias seisinam*, as also upon *Habere facias possessionem*,

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Reg. Reg. if the Sheriff shall duly execute the Writ, or that the Plaintiff or Demandant have his demand, there the Sheriff needs not make any return of the Writ. *Vide Dalt. 256.*

Retorn of a Writ of Seizin in Wast.

Virtute istius **bris** mihi directi quinto die Septimo anno regni Regis & Regine infrascripte tertio habere feci infrascriptum Christoforo filio plenarie seisinam de infrascripta domo maneriali vastat cum pertinentiis put interius mihi precipitur accedam Virtute inde eisdem die & anno in propria Persona mea accessi ad infrascriptum domum maneriale vastat & ibidem diligenter inquisitionem feci de dampnis per Christoforum sustinent occasione vastationis & destructionis infrascriptae cuius quidem Inquisitionis tenor patet in quadam Schedula huic **bris** annexa.

Hen. Wallis, Arm. Vic.

See afterwards for an Inquisition in Wast.

Seizin executed by one Sheriff, and returned by another. *Vide ante & postea Redisseizin.*

Retorn of Habere facias possessionem cum
Nec facias.

Virtute istius **bris** mihi directi 24 die Martii anno infrascripti habere feci infrascriptum P. possessionem tenentis sui infrascripti de tenentis infrascripti cum pertinentiis Accedam Fieri feci de terris & catallis infrascriptis P. P. 20 s. parcellis dampnorum infrascripti Et denique illi habeo coram Justiciis infrascriptis ad diem & locum

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cum infracontenc ad reddendi p̄stat p. p. put Banc Reg.
interius mihi p̄cipitur.

A. B. Ar. Vic.

Vide Dalt. 256. Wilk. Lat. 134.

Alter secund. Greenw. 229. with a Cepi
for Costs.

Virtute istius b̄ris delibari feci eidem A.
B. possessionem suam t̄r̄ti infrasp̄c de mel.
suaḡ terris & t̄stis infrasp̄c Acciam Cepi
corpus infrasp̄c C. D. cujus corpus coram
Iustic infrasp̄c ad diem & locum interius
contenc parat habeo put interius p̄cipitur.

And where the Defendant is not found, then
close thus :

Et ulterius certifico Iustic infrasp̄c qd
infrasp̄c C. D. non est invent in balliba
mea.

Habere fec. possessionem de medietat.

ff. Virtute, &c. p̄mo die Auḡ anno 10 in-
frasp̄c Habere feci infrasp̄c A. B. plena
possessionem suam de medietat t̄stis in-
frasp̄c Que quidem medietas est una pecia
terre voc̄ A. continend̄ dec̄ acr terre, & un̄ al
peciam terre voc̄ C. in B. infrasp̄c tenend̄
ei in sepealitat per metas & bundas put
interius mihi p̄cipitur.

T. K. Ar. Vic.

Offic. Brev. 221.

Habere

W Habere fac. possession. secund. Comp. Sher. 240.

Virtute istius brevis mihi directi Justit. in-
frascripti certifico (quod tali die & anno infra-
scripti) Habere feci M. G. plenam seissimam
de & in unum messuagium cum pertinentiis in B. infrascriptis
in omnibus prout istud habere debet & requirit.

Alicuius ibid. 241.

Virtute istius brevis mihi directi 24 die M.
anno infrascripti Habere feci infrascriptis M.
H. possessionem terrarum sui infrascriptis de istis
infrascriptis cum pertinentiis prout interius mihi pre-
cipitur.

Hab. fac. possession. execut. per veterem Vic.

Ad quem videtur, &c. Et sic videtur C. N. Off.
Balnei modo manens habere predictam per C. B. de per
vic. Com. predictam predecessorem suum in Exitu ab
Officio suo eidem nunc vic. execut. in forma
sequenti videlicet Quod ipse virtute brevis illi sibi
directe (tali die) vult perire habere fecit placet quod
possessionem suam terrarum sui predictam adhuc ven-
turus de & in terris predictis cum pertinentiis prout per
habere predictam sibi preceptum fuit, &c. Offic.
Brev. 120. simil. Brev. Judic. 104.

Habere facias possessionem ubi pars terre jacet
in quinque Portibus & al. pars jacet in Com.
& Tarde adinde.

N. Virtute istius brevis mihi directi Dni
Regi infrascripti humillime certifico quod quo-
ad sex messuagia unum molendinum trescenti
acras terre octodecim acras prati & decem
acras

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acras pasture cum pertind in Parochi Eli^{Sancti} Reg.
 Nobis Baptiste & Eli^{Sancti} Petre Apostoli infra-
 script' parcell' Tenementor' infra-script' eadē
 jacent' infra quinq; portus ubi hzebe Dnd Re-
 gis non currit Et ea de causa hzebe p'dice
 quoad resita illa exequi non possum Et quo-
 ad centum acras terre & viginti duas acras
 pasture in M. & in Parochiis Eli^{Sancti} Lauren-
 ti & Chislet infra-script' Tenementor' infra-
 scripte resito ulteriori certifico quod istud hzebe
 adeo tarde ante Retornd ejusdem hzebis mihi
 deliberat fuit qd hzebe ill' ratione inde ex-
 qui non potui prout interius mihi p'ce-
 pitur.

A. B. Ar. Vic.

Offic. Brev. 224.

Habere fac' visum.

Vide ante in *Dower and Formedon*.

Note, That in all real Actions where the
 Tenant doth not well know the Land demand-
 ed he may pray the view, *scilicet*, that he may
 be shewed which is the Land demanded.

The view return'd.

Wirtute, &c. Justic' infra-script' ad diem
 & locum infracontent' certifico qd tali die &
 anno Habere feci infra-script' J. F. & M. Ar.
 ejus visum de messuag, &c. infra-script' cum
 prid Et dixi A. B. C. D. E. F. G. H. qua-
 tuor Apil' de Comd meo (or ex illis) qui vi-
 sui ill' interfuer qd sint coram Justic' p'dict'
 ad diem & locum infracontent' ad testificand
 visum ill' put interius mihi p'cepitur. Lib.
 Intr. 686. Dalt. 256. And

Banc. Reg.

And the Sheriff may also retorn, that he was ready to make the view, and that neither the Tenant nor any for him came to have the view, *Fitz. View* 126.

II. Virtute, &c. Justie infrascript' certifico qd nullus ex parte R. S. venit ad ostendend' mihi visum de messuag' & pratis cum prind' infrascript' Ideo ad executionem istius brevis p me nihil actum est ad presens. Fitz. Ret. 103.

Alicer.

Nullus venit ad me ex parte infrascript' R. S. ad monstrand' mihi visum de pastui infrascript' Ob quam causam visum de pastui illi infrascript' R. S. habere facere non potui.

Also the Sheriff is not bound to know, or to seek the Land demanded, therefore except the Demandant shew it to him he may retorn,

Ob nullus venit ex parte petentis ad ostendend' mihi Tenementa petita Et ideo dic' R. S. (petenti) de Certis infrascript' habere visum non potui, or Non feci. Vid Fitz. Process. 5. Fitz. Ret. 103.

Or the Sheriff may Retorn.

Ob mandabit ballivo libertatis, &c. Qui respondit qd petens non venit ad ostendend', &c. cum ille fuit paratus, &c.

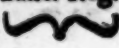
Note, If the Demandant shall shew to the Sheriff a Strangers Land, by force whereof the Sheriff enters he is no Trespassor, Kel. 119, 120.

In a Precipe of Rent, the Sheriff upon the view demanded and granted shall not retorn

Habere

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Habere feci visum in 20 s. reddit. but he must re- Banc. Reg.
corn, *Habere feci visum de terra unde redditus, &c.* 
Fitz. Ret. 70.

Also if a Rent be granted (but out of no Land) and yet certain Land is charged to the Distress, if the Rent be behind, there in an Affize, &c. this Land so charged shall be put in view. *Br. Aff. 150.*

If the Rent be granted out of one Land, and other Land within the same County be charged to the Distress, here both these Lands shall be put in view. *Ibid.*

In an Affize of Land in two Towns, the view ought to be made in both Towns. *Fitz. Affize 122.* Also, it ought to be made where the Disseizin began. *Ibid. 28.*

And where part of a Manor or the like is in demand; yet the view shall be of the whole. *Br. View 39.*

So where a Moiety, or third, fourth, or other part of House, or Land is only in demand; yet the whole shall be put in view. *Br. view 46. 71. Vide Dalt. 257. and Dalt. Abridg. 261, 262.*

When the Sheriff maketh the view, he ought to warn the Tenants and Viewers, for otherwise the Tenants shall not know when the Sheriff maketh the view. *Fitz. View 156.*

And the Sheriff and Viewers must go to the Tenements demanded, &c. and the Sheriff must have with him six at the least of the Jury to take the view. *Co. Lit. 158.*

So that Viewers are those that are sent by the Court to take the view of any place in question, for the better dicision of the Right, *Old Na. Br. 112. Bract. Lib. 5. Tract. 3. chap. 8.*

It

Banc Reg.

It signifieth also, that those that are sent to view such as Essoin themselves *de malo Lest*, whether they counterfeit, or in be in truth so sick as that they cannot appear. *Br. Lib. 91*

Also it is used for those that are sent, or appointed to view an Offence.

See also the late Statute Enacted for amendment of the Law, That where it shall appear to the Court, in which such Actions are depending, That it will be proper and necessary, that the Jurors who are to Try the Issue in any such Actions, should have the view of the Messuage Lands or Place in question, in order to their better understanding the Evidence that will be given upon the Tryals of such Issues, in every such Case the respective Courts, in which such Actions shall be depending, may order Special Writs of *Disfringas*, or *Habeas corpora* to issue, by which the Sheriff, or such other Officer to whom the said Writs shall be directed, shall be commanded to have six out of the first twelve of the Jurors named in such Writs, or some greater number of them at the place in question, some convenient time before the Tryal, who then and there shall have the matters in question shewn to them by two Persons in the said Writs named to be appointed by the Court; and the said Sheriff or other Officer, who is to execute the said Writs, shall by a Special retorn upon the same, certifie that the view hath been had according to the command of the said Writs.

Homine replegiand'.

Writate istius, &c. Justic' Dnd Regis certifico qd nullum aliud brebe vel mandat' dicit Dnd Regis de repleg' infrascript' J. C. quam W. S. infrascript' cepit & cap' tenet put interius spec' qm istud bre de plac' repleg' pcedit' J. ad manus meas debent nec mihi liberat' fuit nihilominus Justic' dci Dnd Regis certifico qd statim post recepton' ejusdem brebis accessi ad pdict' W. S. de repleg' faciendo pdict' J. quam pdict' W. mihi ostendere noluit Sed pdict' J. ante adventum istius brebis ad loca mihi incognita elongavit & post receptode juldem brebis ipsa J. non est invent' in balliva mea sic qd aliquam repleg' ipsius J. juxta mandat' huius brebis ullo modo facere non potui put interius mihi pceptur. Vide Dale. 258. simile Kitch. 262. b.

And there it is noted, That if the Sheriff retorn that the Defendant hath eloined, or conveyed away the Body of the Plaintiff, so as he cannot make deliverance, &c. Then the Plaintiff shall have a *Capias* in *Witbernham*, to take the Body of the Defendant, and him to detain, &c. until, &c. (be he a Peer of the Realm, or other Common Person) and if the Sheriff retorn *non est inventus* upon this *Capias* in *Witbernham* for the Body, then the Plaintiff shall have a *Capias* in *Witbernham* of the Goods of the Defendant, 11 H. 4. fo. 15.

It has been held a good retorn by the Sheriff, that he could not have the view, *Et ideo*, &c. Fitz. Mainpr. 23. Intr. 402.

That

Banc Reg.

That the Defendant claimeth the Plaintiff to be in his Ward, &c. *Vide Dalt. 258, &c. See 2 Lut. 1428 & 1432. Defendant justifies by virtue of a Writ de Homine replegiando.*

Aliter.

Nullū aliud h̄ve p̄ter illud de repleg in-
frascript' D. G. ad manus meas huculq; deve-
nit Et ulterius Justic' infrascript' certifico
qd̄ p̄dict' D. elongatus est ad loca mihi incog-
nit' per infrascript' J. E. J. B. & C. R. per
quod p̄dict' D. repleg non possum put inte-
rius mihi p̄cipitur. *Vide Dalt. 258. simile
Kitch. 263.*

Aliter secund. Thef. Brev. 146.

Virtute istius h̄veis mihi direct' Dno Re-
gi certifico qd̄ exequo istius h̄veis jura
formam & effectum inde facere non possum
Co qd̄ ante advent' istius h̄veis mihi direct'
D. R. infrascript' per infrascript' C. R. &
F. R. ejus ad loca mihi incognita elongat'
fuit & adhuc elongat' existit ita qd̄ ipsam D.
videre seu noticiam de ea aliquo modo habere
nō possum. Et ulterius certifico qd̄ nullum
aliud h̄ve ad replegiand' p̄dict' D. R. p̄-
terquā istud h̄ve ad manus meas unquam
devenit.

T. W. Ar. Vic.

Vide Dalt. 556.

Inquisition.

Inquisition.

It is observed, That Inquisitions are taken in the several particulars following:

Upon an *Ad quod dampnum*.
 Upon an *Admeasurement*.
 Upon an *Etate probanda*.
 Upon inquiry of Damages.
 In *Detinue* and *Dower*.
 Upon an *Elegit* and *Extent*.
 Upon a *Partition*.
 Upon a *Proprietate probanda*.
 Upon a *Redissezin*.
 Upon a *Secunda Superoneratione*.
 In *Trespas*.
 In a *Writ of Wast*.

Many of which
 are set down before
 in their Alphabetical
 Order, and the rest
 will also follow in
 the like Order.

Therefore we will here observe, That the Sheriff in all his Inquisitions taken and retorn'd by him, must therein set down the certainty of the Year, day and place of taking the Inquisition.

If the Writ appoints that the Enquest shall be taken at a day or place certain, the Sheriff must retorn, that it was taken at the same day or place. *Fitz. Ret. 64.*

That where the Sheriff is to make an Inquisition, it seemeth that none of the Enquirers may be challenged, for that they are but an Enquest of Office: yet in a Writ to inquire of Wast (where the Sheriff is both Judge and an Officer) the Enquirers may be challenged, and if the Sheriff shall deny it, it is Error. *Kiel. 125.*

Br. Offic. 4.

Y

And

Banc' Reg.

And so it is in a Writ of Redisseizin, therefore the Sheriff may make the Pannel, and after may adjudge the same to be quashed, if there be Cause. *Ibid. Br. 4.*

In every Case the Sheriff ought to make his enquiry by 12 Men at the least; and when the Jury have appear'd, he must Swear them, and then give them their Charge, *scilicet*, to make enquiry according to the Writ. *Dalt. 260.*

And after the Charge given, if any of the Jury shall depart without giving up their Verdict, the Sheriff may retorn that the Jurors were charged before him, and that afterwards such of the Jury or Jurors departed in despite of the Court without giving up their Verdict, and such Retorn is good, and an Attachment will thereupon go out against the Jurors. *Vide Thes. Brev. 5. Attach. super contempt. versus Jur. eo qd. non vener. coram Vic. ad dand. Verdict. ad diem eis affix. Idem 268. in Particon.*

And all Inquisitions made by the Sheriff must be by Writing indented, and retorn'd under the Seal of the Sheriff, and of every Juror.

And in most Inquisitions the Sheriff is to Summon or give warning to the Parties, that they may be present thereat, if they will, *scilicet* to Plead, give in Evidence or make their Challenge, &c.

And wheresoever the Sheriff shall make a false Retorn, an Action on the Case lieth against him; but if he shall make Inquisition by a Jury, and retorn the same, altho' it be false; Yet the Party hath no remedy against the Sheriff, nor against any other, *quod Nota, 5 Co. 32.*

Also its said, that if upon an Inquisition any Doubt shall arise, &c. The Sheriff may retorn that

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that he and the Jury were in Doubt, shewing Banc. R. g.
wherein, and so pray the advice of the Court
therein. *Vide Dalt. 260. and Dalt. Abridg. 163.*

Inquisic'o sur melius inquirend' quomodo &
qualiter A. B. ad mortem devenit.

Inquisic'o, &c. coram me **W. I.** **W. I.** **W. I.** **W. I.**
Com pdice virtute brevis **Und** Regis de
melius inquirend' mihi directe & huic Inqui-
sitioni annex' per **Sacrm** **A. B.** (&c.) probon
& legalium homin' de balliva mea qui jurat
& onerat ad inquirend' qualiter & quomodo
F. H. nuper de **P.** in **Com** pdice Yeoman ad
mortem suam devenit die super **Sacrm** suu
qd pdice **F.** in brevi pdice nominal' apud **P.**
pdice in **Com** pdice ex visitatione divina obijt
(or otherwise as the Case shalle be) Et sic Jur
pdice dicunt qd pdice **F. H.** modo & forma p
Et non aliter nec aliquo alio modo ad morte
suam devenit In cuius rei, &c. tam ego pre-
fac **Die** qm **Jur**, &c. *Vide Dalt. 551. Vide*
Wilk. Lat. 155.

Retorn' Inquisic'on' de mediis proficuis in E-
jectment after Judgment affirm'd in the Ex-
chequer.

Executo istius brevis patet in quadam In-
quisitione huic brevi annex' **R. G.** **W. I.** **W. I.** **W. I.**
Inquisito indentae cape apud **Castrum** **Ebo-**
rum in **Com** **E.** primo die **Maij** anno regni
Und nostri **Car** 2 **Dei** gra **Angl** **Scot** **Franc**
& **Hibne** **Regis** **Fidei** **Defens**, &c. 33 coram
me **R. G.** **W. I.** **W. I.** **W. I.** **W. I.** **W. I.**
Com pdice virtute bre-
vis **Und** Regis mihi directe & huic Inquisi-
tioni annex' per **Sacrm** **J. B.** (&c.) probon &
legalium homin' de balliva mea qui onerat

Banc' Reg

Et jurat die super Sacram suum qd Eric & proficua terra & tenitoꝝ in dco hzebi spec a die redditionis Judicii in hzebi pdice simile mentionae scilicet a die mercurij pꝛor' post quindenꝝ Pasche anno regni Dnd Regis nunc 32 usque ad diem affirmatonis Judicii pdice in dco hzebi specificae attingunt ad 401. Et Iur pdice super Sacram suum pdice ulterius die qd W. B. in dco hzebi nominat non sustinuit aliquod dampnꝝ oclone alicujus basti in eisdem testis cum pꝛim ad aliquod tempus post redditoꝝ Judicii pdice usque affirmatonem ejusdem ad noticiam Iur pdice In cujus rei testimonium tam ego pꝛefac Dic qm Iur pdice sigilla nostra apposuimus alternatim die & anno supradict', &c. Vide The. Brev. 149.

Inquiry of Damages in Replevin after Judgment upon Demurrer by Original.

Executio istius hzebis patet in quadam Inquisitione huic hzebi annex'.

¶ Inquisito indentae capte apud le Red Lyon in B. in Com pdice die martis 10 die Martij anno regni Dnd Car 2 Regis Fidei Defens, &c. 31 coram me W. B. Ne Die Com pdice virtute hzebis dci Dnd Regis mihi direce & huic Inquisitioni annex' per Sacram D. C. (&c.) pꝛor' & legalium hominꝝ de baliba mea qui quidem Iur onerat & jurat existend die super Sacram suum qd J. W. in hzebi pdice mentionae sustinuit dampna oclone raptioꝝ & injuste detentioꝝ averioꝝ ipsius J. W. in eodem hzebi mentionae per ipsos F. & H. in dicto hzebi similiter nominat ultra mis & custag' sua p ipsum circa sextam suam in ea parte appoie ad 40 s. & p mis & custag' suis

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fuig pdice ad 205. In cuius rei Testimoni- Banc' Reg.
um. &c. Vide Thes. Brev. 153.

See the late Act for Amendment of the Law, whereby the Tenant or Defendant, or Plaintiff in Replevin may have leave to plead as many several matters thereto, as he shall think necessary for his defence, and the Court may give Costs at discretion for insufficiency thereof upon a Demurrer joyn'd.

Inquisicio indentae cape apud B. in Com pd Inquisic' de
2 die Dec anñ regni Dñd Car 2. &c. Reg Fidei quibus ter-
defensoris, &c. decimo octavo coram me W. L. ris pater
Mort Die Com pdice virtute istius hzebis mihi obiit fecit'.
direce & huic Inquisitioni annex' p Sacrd
C. B. W. B. &c. pboz & legalium hominum
de balliba mea qui Jurati & onerati super
Sacrd suum dicunt qd A. G. pater in dicto
hzebi nominat Nichil habet die obiti sui in
balliba mea.

T. B. Ar. Vic'.

Languidus Retorn.

Ante adventum istius hzebis mihi direce
infranominat A. B. cape & arrestat fuit per
me subscribe Die tam virtute seperat hzebi-
um dñi Dñd Regis de capias super seperal'
Statue Statul' ac virtute seperal' al' hze-
bium dñi Dñd Regis & Prisonis dñi Dñd Re-
gis sive Gaole sue de M. in Com meo infra-
scribe sub Custodia mea per me eundem Die
super hzebi pzedie in Executione Commission
cujus quidem A. B. corpus tam ad seperal'
retozñ pdice seperal' hzeb' quam postea huc-
ulq; in Gaola pdict' remansit & adhuc rema-
net in Executione Languid & infirm Et sic

Banc. Reg.

in Prisona predict' existend' virtute istius hze-
bis corpus ipsius A. etiam cepi & arrestavi
sed corpus ejus adhuc adeo Languis est &
tant' infirmitat' cruciat' sub Custodia mea
Ita qd corpus ejus coram Dno Rege infra-
script' ad diem & locum infracontent' absq'
mortis periculo habere non possum.

R. E. Mil. Vic'.

Vide Ante Habeas Corpus, & vide Capias,
Offic. Brev. 221.

Languidus in Prisona super reddidit se.

II. Virtute istius hzebis mihi directi ad Co-
mitatum meum ibidem tentum die & anno, &c.
infrascribe infranominat' A. B. & ceteri de-
fendentes quarto exacti fuerunt & non com-
peruerunt Et ad Comitac meum ibidem ten-
tum die & anno, &c. pdice J. B. comperuit &
reddidit se Prisona Dni Regis Castri sui
Winton' pdict' Et in eadem Prisona remanet
Languidus variis infirmitatib' detene' Ita
quod propter Corporis sui debilitatem & mor-
tis periculum laborare sive carriari non po-
test per qd Corpus pdice J. B. coram Justic
infrascribe ad diem & locum infracontente ad
presens habere non possum juxta formam hu-
jus hzebis Et infranominat' A. B. & C. D.
quinto exacti fuerunt & non comperuerunt
Et quia ad nullum eozundem Comie com-
peruerunt pdice A. B. & C. D. per Judici-
um, &c. Offic. Brev. 198.

R. P. Ar. Vic'.

Levari facias.

See before in the Retorns of the Chancery
and Exchequer.

And

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And note, a *Levari facias* is only to be levied upon the profits of the Lands and Tenements, and upon the Goods of him that hath forfeited a Recognizance, &c. *Reg. Orig.* 298. 300. But he cannot seize the Land, and deliver that to the Party by this Writ, *Plowd.* 441. And this ought to be sued within the Year, after the day of the Payment to be made by the Recognizance, or after the Judgment, for after the Year the Conusee, or Plaintiff is by the Statute of *West 2. chap. 45.* to have a *Scire facias*, &c. *Vide Greenw.* 207.

R. C. f. infrascripte nulla het bona seu castalla in balliva mea de quibus denar infrascripte aut aliquam parcelle inde levare possum put interius mihi precipitur.

Aliter.

Virtute, &c. Cepi in manus Dñi Regis quoddam Hospitium cum tribus shopis in (tali loco) ipsius R. C. infrascripte que valent p annum ultra redditus 10 l. Et qd pdice Hospitium cum shopis pdice salvo custod donec aliud a vobis habeo in mandatum. *Reg.* 300. *Tit.* 28. *Fitz.* 266. *vide Dalt.* 260.

Note, That upon a *Levari facias*, if the Sheriff returneth that he hath levied 10 l. of the Sum, &c. the which he hath delivered to the Party, &c. this is said to be a good Retorn, and hereupon the Party may Sue a *sicut alias levari facias*, directed to the Sheriff to levy the residue. *Fitz.* 245.

Y 4

Liberate

Liberate.

Vide ante in Cane.

This Writ is taken in divers manners. As 1. A Writ to the Sheriff to deliver Lands, or Goods, taken upon the forfeiture of a Recognizance, of which in this place.

2. As a Warrant to the Treasurer, and others of the *Exchequer*, for the payment of any annual Pension, &c.

3. As a Warrant to a Gaoler to deliver a Prisoner, &c. *Terms del Ley & Cowels Interp.*

ff. Virtute istius brevis (tali die & anno) Liberavi J. S. infrañotiae Manerium infra-
spec cum pertind tenend sibi & Assign suis ut
libum testum suum quousq sibi de debito in-
frascripte unacum dampnis mis & expensis
que in hac parte rationabilie sustinuit ple-
nar satisfact fuerit put istud breve in se
erigit & requirit. J. S. infrañotiae non est
invene in balliva mea. Libr. Intr. 589. Dal-
ton 261.

Retorn. brevis de Liberate sur Statut. Mer-
chant, secund. Brev. Judic. 258.

Virtute istius brevis mihi directe Dimiss
infrascribe vendidi p sum 10 l. Et denar ille
habeo coram Justie infrascribe ad diem &
locum infracontene ad reddend infrañotiae
C. W. in pare satisfacton debi sui infra-
scribe Accciam virtute brevis pdice terras
& tenta in forma infrascribe extendie (tali
die, &c.) deliberavi pfectae C. W. tenend ut
liberum

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liberum testum suum sibi & Assign suis ^{Banc' Reg.}
secund' formam Statute infrascripte prout inter?
mihi precipitur.

Retorn. de Liberate sur Elegit, *where the
Writ was not fully executed.* Brev. Judic. 258.

Retorn. Liberate post Extent. super Obl?
Stat. Stapul.

Virtute, &c. liberavi infrañoiar B. S. Ma-
neria terras & tenita infrascripte vend. sibi &
assign suis quousq; sibi de debito infrascripte
unacum dampnis missis & expensis suis ple-
narie fuerit satisfacere put, &c. Vide Compl.
Sheriff 264.

Libertie.

J. D. infrañoiar fuit ad Libertatem J.
C. At & continue ibidem moratur adeo ut
ipm Capere non possum, Kitch. 258.

Mandavi Ballivo.

Vide ante Caplas ad respondend. &c.

II. Virtute istius brevis mihi directe Man-
davi J. D. Ballivo Libertatis C. Epd &
ad capiend & arrestand infrañoiar J. S. in
forma infrascripte qui plenum habet Retorn
omnium brevium & precept & executio eor-
dem infra Libertate pdice qui quidem balli?
nullum mihi adhuc dedit responsum.

Vel sic: — Qui mihi respond qd infra-
ñoiar J. S. non est inventus in balliva sua.
Vel

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Vel sic: — *Quod cepit corpus infracontene
J. S. cujus quidem corpus ad diem & locum
infracontene parat habet ad fac ea omnia
que istud breve in se exigit & requirit.*

Wilk. Lat. 133.

A. B. Ar. Vic.

If the Bailiff make Return, its said the Sheriff may make no other Return, but according to that which the Bayliff of the Liberty shall certify him. In Redisseisin and Wast, and such other Writs wherein the Sheriff is made Judge of the Cause, there the Sheriff must enter the Franchise and execute such Writs thereof, and may not return *Mandavi Ballivo*.

And it is noted, That wheresoever the Return of the Writ pertaineth to the Bayliff of a Liberty, yet if the Sheriff doth it himself 'tis well enough: But the Lord of the Liberty may have his Action on the Case against the Sheriff. *Finch* 52. Therefore it is safest for the Sheriff to have a *Non omittas* before he Enter. See these things at large in *Dalt. chap. 39*.

Also it is said, that by the Statute of 27 H. 8. *chap. 24*. Amerciaments for insufficient Returns of Writs made by Bailiffs of Liberties, shall be imposed upon such Bayliffs, and not upon the Sheriffs.

Aliter.

It. Mandavi B. Ballivo Honoris de C. parcelle Ducat Lancastrie qui habet plenum Retornd omnium brevium & executiones eorum dnd infra Libertate pdice & cui executio brevis illi totaliter restabat faciend eo qd nulla executio inde in balliva mea extra Libertate pdi p me fieri potuit, &c. Lib. Intr. 262. vide Brev. Judic. 262.

Aliter

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Banc. Reg.

Aliter Ballivo Hunder. secund. Greenw. 223.

Pro executione huius brevis mihi directe
faciendū Mandavi Ballivo libertatis Hunder
de B. in Com̄ meo qui plenam habet Exec
omniū brev' Warrant Mandat & Preceptor
exequendū infra Libertatē p̄dite & Retorn̄ eorū
infra quam libertatē executio istius brevis to-
taliter restat faciendū Qui quidem ballivus
scilicet J. W. nil nullum mihi dedit respon̄.
If there be no Retorn or an insufficient Retorn.

But if he Retorn that he hath taken the Body,
then thus:

Qui mihi respondit Quod Cepit corpus in-
fractiois C. D. cujus corpus coram Justic
interius mentionat ad diem & locum infra
contenē parat het put p hoc breve precipi-
tur,

R. S. Ar. Vic'.

Mesne.

Nihil habet Medius unde potest Summoniri.

If the Sheriff Retorn *Nihil habet*, &c. then
shall issue forth an Attachment.

Ret' inde—*Nihil habet Medius per quod
potest Attachiari.*

And if the Sheriff Retorn *Nihil* upon the
Attachment, then shall issue forth a grand
Distress with a Proclamation.

Pleg

Ret' inde.

Spieg' de Sporen } 9. 10.
 } 11. 12.

Ammonitores in } A. B.
fratres A. B. } C. D.

Et ulterius vobis Iustic respondeo qđ in pleno Comd meo tene apud E. Ec. die, Ec. publice Procland feci qđ pdice J. S. veniret coram Iustic infrascripte, Ec. si voluerit put per istud hzebe mihi p̄cipitur, Ec.

Aliter upon the Grand Distress.

**Medius Nil habet per quod potest Di-
stringi. Vide Dalt. 262. and Abridg. 166.**

Note, This Writ of Mesne lieth where there is Lord, Mesne and Tenant, the Tenant holding of the Mesne, whereby the Mesne holdeth of the Lord, and the Tenant of the Mesne is distrain'd by the superior Lord, for that his Service or Rent which is due to the Mesne, Fitz. N. B. 135.

Nativo Habendo.

This Writ concerns Villeins, and Villein-
age, now taken away.

Nihil return'd.

Vide ante per Tot'.

Retornd brig si Def. sit insufic, 29. D.
Pleg de proa. 38. 8.
Anfra

Infrascriptae A. B. & C. D. Nihil habent Banc. Reg.
in balliva mea per quod lund possunt, if it be In Debe.
in Debt, or other Writ where Summons lieth.

Infrascriptae H. B. & C. D. Nihil habent in In Trespass.
balliva mea per quod Attachiari possint, (or
possit if but one Defendant.)

And if there be more Defendants than two,
then name but one, viz. **Infrascriptae A. B. &**
ceteri Defendentes infrascriptae Nihil habent,
&c.

Infrascriptae A. B. Nihil habet in terris Sur Di-
tenentis Pereditamentis infrascripte per quod stringas.
ipsum Distringere possum.

Or thus:—**Nullum tale Manerium neq**
ulla tere sive tenita cogn p nomen de C. ja-
cent in Com C. unde Tenentes inde Distrin-
gere possum put interius mihi precipitur.

Infrascriptae A. B. nulla habet bona seu Sur Fieri
catalla tere aut tenita in balliva mea unde fac.
denae infraspce fieri facere possum put inte-
rius mihi precipitur.

Infrascriptae A. B. Nihil habet in balliva Sur Scire
mea per quod ei Scire facere possum. facias.

Note, That upon *Nihil* retorn'd, in Admea-
surement of Dower or Pasture, the Plaintiff
shall have the like Judgment, as if the Writ
had been retorn'd served. *Bro. Ret.* 101. 109.

So in a Writ of Gard, and so in a Writ of
Wast.

In Assize, the Assize shall be taken.

In a Writ of Mesne, Process shall go out to
forejudge the Mesne. *Vide Co. Lit.* 100. who
shall be bound by forejudger, and who not.

Upon a *Scire facias*, two *Nibils* do counter-
vail *Scire feci*.

Upon

Banc. Reg.

Upon a *Scire facias* to execute a Judgment in Debt, Trespass or Annuity, if at the first day the Sheriff shall retorn *Nil*, the Plaintiff shall have Execution. In an Account the Defendant was outlawed, and obtained his Pardon, and had a *Scire fac'* against the Plaintiff which was retorned *Nil*, and the Pardon was allowed upon one *Nil* retorn'd, &c. *Br. Ret.* 109.

Scire facias against Executors upon two *Nil*s retorn'd, they shall be condemned, and charged *de bonis propr'*. See for these *Dalton* 263, 264.

Partitione.

Retorn' brevis Ooriginalis in Partic'one.

Pleg de pā J. D. R. f.
Sund infrañoiat B. R. (W. D.)
& C. ur' ejus. *J. D. S.*

Vide *Dalton* 264.

A. B. Ar. Vic'.

Note, That such a Retorn may be made in all other Actions Real, if the Defendant be sufficient.

And note, There must be a Count, Plea and Judgment before the Partition awarded.

And after Judgment shall be given upon the Partition, the Partition shall be made between the Parties; and the Sheriff in his Person shall go to the Lands and Tenements, &c. and shall make Partition, by a Jury of his Bayliwick, between the Parties, &c. and of the Partition which he makes shall makē Retorn to the Justices, under his Seal, and the Seal of the 12 Jurors, &c. and the Sheriff may not retorn what Partition he pleases. *Co. Lit.* 169, 248. *Dalt.* 264.

And so its noted, That the Partition shall be made by the Jury, who ought to make it equally,

ly, and then the Sheriff may assign one part to one, and another part to the other at his Election. Banc. Reg.

But he ought to Summon the Parties to be before him when he makes the Partition.

Upon a Writ of Partition to be made between two Partners of two Manors, the Sheriff may assign one Manor to one, and the other Manor to the other, so that both the Manors be of equal value; and so of two Acres of Land, &c. *Br. Partit. 29.*

So an Advowson may be divided between Parceners, *scilicet*, the one to present one turn, and the other another turn. *Co. Lit. 32.*

So a Rent-charge may be divided, &c. *ibid.* But Estovers, as House-boot, Hay-boot, and Fishery incertain, as without number, &c. may not be divided, *ibid.*

But the profits of a Mill, of a Dovehouse, of Courts, of Tithes, and of Stallage of a Fair, may be parted. *Ibid. 32.*

Also, it is fit to name and abutt, and shew the Contents of the severall Parcels.

Ubi Terr', &c. in duas Partes equales dividuntur.

N. Ego **C. B.** Armiger Vic Comd predict in brevi huic Schedule annex' specificat Justic Dni Regis apud Westm ad diem & locum in eodem brevi content' virtute ejusdem brevis certifico quod Ego prefat Vic virtute ejusdem brevis vicesimo nono die Septembris anno Regni Domini nostri Caroli secund nunc Regis Anglie, &c. decimo sexto Assumptis mecum **A. J. J. D.** &c. duodecim liberis & legalibus hominibus de villa de **C. G.** in brevi pdice specificat per quos rei veritas melius scire poterit accessi in propria per-

Banc. Reg.

persona mea ad Tenementa in hzebi pcedice
 specificae & adtunc & ibidem per eor Sacra-
 mentum (habito respectu ad verum valor Te-
 nementor infrascripte cum pertind ad. & J. &.
 in hzebi pcedice nominat pzemunie) p'd' Tene-
 menta cum partind in duas partes equales
 partiri feci Et unam medietatē Tenementor
 pcedice situae jacentē & existēd in G. pcedice modo
 in occupatione W. P. Ne assignati vel
 assignator acetiam (&c.) cum omnibus & sin-
 gulis pertind eidem aut Alicui parti eorum-
 dem tenementor pcedice ad. in dicto hzebi
 nominat tenend in seperialitate per se Et
 alteram medietatē tenementor pcedice in hzebi
 pcedice specificae videlicet unum Messuagium
 unum gardinum, &c. cum pertind pcedice J. in
 hzebi pcedice nominat tenend in seperialitate p
 se assignari & allottari feci Ita qd p'dicta ad.
 de pparte sua p'dicta de tenementis p'dictis
 cum pertind ipsam ad. Et pcedice J. de pro-
 parte sua pcedice ipsum J. inde contingēd
 seperatim appzuar se possint put per idem
 hzebe mihi pcepitur In cujus rei testimo-
 nium tam ego p'fcae Dic quam Jur pcedice
 sigilla nostra seperatim apposuimus die &
 anno supradictis.

T. B. Ar. Vic.

Offic. Brev. 205. vide eund. 150. Brev. Ju-
 dic. 272 & 259. de Prat. Cottag Customar.
 Piscaria Reddit. Servic. Rectoria Commu-
 nia Pastur. Pannag. filic. Angl. Fearn, &c.

The like of Lands divisible into three Parts,
 and the Partition retorn'd insufficient, and a
 new Writ awarded.

Aquem diem, &c. Et Dic modo mand
 fuit quandam partitonem, &c. in hec verba
 Dic,

The New Retorna Brevium.

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Banc Reg.

Virtute brevis Dñi Regis mihi directe & huic Schedul' annex' Ego H. J. Writ Dic Comd H. (tali die & anno) assumptis mecum A. B. &c. 12 p'bis hoibus de visu' in brevi p' specificat' in p'p'r persona mea accessi ad Maneria tenita & reddit' cum p'tin' in eodem brevi contene & ibidem per eoz. Sacrd in p'sentia partium in brevi ill' spec p me ad hoc p'remuni, &c. eadem Maneria tenita & reddit' cum p'tin' hito resp'd ad verum valor'em eozdem in tres partes equal' partiri feci unde unam partem, &c. Et super hoc, &c. The Retorn adjudged insufficient, the Sheriff amerced 20 s. and a new Writ awarded. *Vide Brev. Jud. 269.*

Al' Retorn de Partitō in Tres Partes.
Brev. Judic. 267.

See *ibid.* 268. The Sheriff retorn'd in Partition, that he gave a day over to the Jury, and at the day one of them did not appear, and the Sheriff amerced him to 40 s. and then *propter brevitat. temporis*, another Writ was awarded, and an Attachment against the Juror.

The entry of a Partition of Manors and Lands, and Woods, (a Rent reserved for equality of the Partition) and of an Advowson, &c. between married Sisters to present by turns.

Ad quem diem, &c. Virtute brevis Dñi Regis mihi directe & huic Schedul' annex' Ego J. W. Ali Dic Comd E. 6 die Maij ann' regni Dñi E. Dei gra, &c. 20 in p'p'r personā mea accessi ad Maneria de G. H. & G. cum p'tin'd necnon ad unum Messuag 52 Acc Terre 74 Acc prati 66 Acc Pastur & 6 Acc bosci

Banc. Reg.

Wolci cum pertin in C. G. in hzebi pdice spee
 Et postea eodem 6 die Maij anno supradice
 apud C. pdice in presencia C. B. & M. Ar'
 ejus C. C. & J. Ar' ejus in hzebi pdice nomi-
 nat p me antea pterextu hzebis pdice sepe-
 rim premunie per Sacrd M. B. (Et.) legali-
 um homin de Com meo pdice ex assensu par-
 tium pdice in hzebi pdice nominat Inquisito-
 nem de annuo baloze Manerioꝝ & testioꝝ
 pdice cum ptin fieri feci Qui quidem Iur-
 dic super Sacrd sud qd Maneria & testa
 pdict cum ptin valent clare per annum in
 omnibus Erit ultra reppis 69 l. videlicet
 pdict Manerium de G. H. per se valet in om-
 nibus Erit ultra reppis 21 l. 10 s. Et qd
 pdict Messuag 52 Acr Terre 74 Acr Prati 66
 Acr Pastur & 6 Acr wolci cum pertin in C.
 G. pdict valent clare p annum in omnibus
 Erit ultra reppis 14 l. sup quo ego pfar Dic
 apud C. G. pdict p Sacrd Iur pdice eadem
 Maneria & testa cum ptin hito respd ad
 verum balozem eozundem in Tres partes e-
 quales Partiri feci Per quam quidem par-
 titionem una pars inde videlicet pdict Mane-
 rium de G. H. cum ptin (Except Advocatone
 de C. G. ac coijs Pastur & basti unacd wolco
 & subwolco sup ealdem Coias crescend ac uno
 wolco voc G. M. eidem Manerio spectand &
 appertinen) assign & allottati p me pfar
 Dic pdict C. B. & M. p pparte sua ips M.
 de manerijs & testis pdict cum ptin contin-
 gend tenend eisdem C. & M. & heres ipsius
 M. in sepalitate p se Et altera pars mane-
 rioꝝ & testioꝝ pdict videlicet manerium de
 G. cum ptin ac quidam annuus reddit 30 s.
 p annum exeund de pdict manerio de G. H.
 cum ptin (except pexcept) ad festi Scti Mich
 Arch

1.

2.

Arch & Annunc bte Marie Virginis p equali-
 les portiones annuatim solvend p eo qd pdict'
 maner de G. H. cum ptid (except' pcept')
 majoris annui valoris existit qm pdict' ma-
 ner de G. cum ptid assignate & allottatur p
 me pfar' Dic pdict' C. & J. p pparte sua
 ipam J. de maneriis & testis pdict' integris
 cum pertid contingend tenend eisdem C. & J.
 & heres ipsius J. ut in jure ipsius J. in le-
 palitate p se Et tertia pars manerio 4 & ten-
 to 4 pd ed ptid suis videlicet pdict' mels 52
 acr ter 74 acr prati, &c. ac quidam annuus
 reddit' 10 l. ex eund de & ex pdict' manerio de
 G. H. cum ptid (except' pcept') ad pdict'
 fest' Ali Mich Archi & Annunc bte Ma-
 Virginis p equali portiones imppum solvend
 eo qd pdict' manerium de G. H. cum ptid (ex-
 cept' pcept') majoris annui valoris existit
 qm eadem mels 52 acr terre (&c.) cum ptid
 assignd & allottat p me pfar' vic pfar' J. B.
 & C. p pparte sua ips C. de maneriis
 & testis pdict' integris (except' pcept') con-
 tingend tenend eisdem J. & C. & heres ipsius
 C. ut in jure ipsius C. in sepalitate p se Et
 ulterius ego pfar' Dic p Sacrd Jur pdict'
 pdice Coias Pastur pdict' & vasti unacum
 bolco & subbolco crescend sup eisdem Coias &
 pdict' bolcum voc G. W. parcell' ps manerij
 de G. H. cum ptin' supius except' in tres
 partes equales partiti feci in forma sequen-
 quam quidem Partitonem una pars inde
 continens p estimacionem 15 acr incipien ad
 finem juxta le W. G. bolci voc G. W. abut-
 tand sup quosdam campos voc M. f. & M.
 G. ptid W. f. Mil vera Occiden & Abut-
 tand vera Orien' sup bolcum inferius assignd
 & appunctuat pfar' C. & M. & heres ipsius
 M. & abuttand (&c.) assignd & allottat p me
 pfar'

The New Retorna Brevium.

Banc. Reg. **¶** *pfat' Vic p'dict' C. & J. p pparte sua ipsam
J. de p'dice Cōiis valli & bosci contingend
tenend eisdem C. & J. & hered' ipsius J.
ut in iure ipsius J. in sepelitate per se.*

2. Una alia pars continetur, &c. (and so sets forth the buttals of another part) assignat & allotat p me p̄fac vic p̄dice E. & M. p pparte sua ipam M. de p̄dict Cōis valli & bolci contingend tenend eidem E. & M. & hered ipsius M. in iure ipsi? M. in sepelitate p se, ac tertia pars inde continetur per estimatonem 17
3. Act abutram super G. P. (&c.) and so sets forth the buttals, assignat & allocat p me p̄fac vic p̄fac J. B. & E. & hered ipsius E. in sepelitate p se Ita qd a dō die huius partizonis facit p̄dice & E. B. & M. de pparte sua ipam M. Et p̄dice G. & J. de pparte sua ipam J. Et p̄dict J. B. & E. de pparte sua ipam E. contingend se appquare possint.

Advocac'o.

1. excepte allottare & assignare p me p̄fat vic
p̄fat C. & M. C. & J. & J. & C. & heredi
ipsa24 M. J. & C. p turno modo & forma se-
quend videlicet qd p̄dice C. & M. initia soroz
p̄dice J. & C. ut in iure heredi & assigni ip-
sius M. ad eandem Ecclesiam cum primo &
px^o vacare contigerit Clicum suum ut in
turno suo p̄sentabunt absq̄ contradicōne vel
impedimento p̄dice C. & J. J. & C. vel he-
redi seu assigni ipsa24 J. & C. Et p̄dice C. &
J. heredi & assigni ipsius J. ad Ecclesiam p̄dice
cum p mortem cessionem p̄vacionem vel re-
signacionem Clici qui ad p̄sentacionem ipso24
C. & M. vel heredi seu assigni ipsius M. ad
eandem Ecclesiam fore admissus instituit seu
quocunq̄ alio modo vacare contigerit Clicu
suum ut in turno suo p̄sentabunt absque
contradicōne vel impedimento p̄dicto24 C.

¶ M. J. B. & C. vel heres seu assignatus ipsorum
 M. & C. Et p̄dice J. B. & C. & heres &
 assignatus ipsius C. ad eandem Ecclesiam cum p̄
 mortem cessionem p̄bationem vel resignationem
 Clerici qui ad p̄sentationem p̄dice C. & J. vel
 heres seu assignatus ipsius J. ad eandem Ecclesiam
 foret admissus & institutus seu quocunque alio
 modo vacare contigerit Clericum suum ut in
 turno suo p̄sentabunt absque contradicōne
 vel impedimento p̄dice C. & M. C. & J. &
 heres seu assignatus ipsorum M. & J. Et sic alter-
 natim & successive p̄dict C. & M. & heres &
 assignatus ipsius M. ut in primo turno ac p̄dict
 C. & J. & heres & assignatus ipsius J. ut in
 secundo turno Ac p̄dice J. & C. & heres &
 assignatus ipsius C. ut in tertio turno suo p̄-
 sentabunt Clericum suum ad eandem Ecclesiam
 absque contradicōne sive impedimento unius
 eorum ad alium imp̄p̄m In cuius rei testi-
 monium tam ego p̄dic vice q̄m Iur p̄dice huic
 Partitōni sigilla sua alternatim apposuer̄
 die anno & loco sup̄rad̄ Ideo cons̄ est q̄
 partitō p̄dice firma & stabilis imp̄p̄m te-
 neat̄. &c. See Offic. Brev. 151. and see the
 like retorn. Brev. Judic. 227.

Vide ibid. 268. Partition of Tithes of Corn
 and Hay ; Lands and Tenements, Rent, Suit
 of Court, and Services, Waifs, Estrays, Goods
 of Felons and Fugitives, Customary Lands, a
 Warren, &c. and an Advowson and Vicaridge
 to present by turns, &c.

Banc' Reg:

Retorn' brevis de Partitione ubi Terr' in quatuor partes divisibilis est quarum due partes deliberantur uni partium.

N. Ego R. P. Armiger Vic Com p'dice Justie in hzevi huic Schedule annex' specificae certifico qd virtute hzevis illius in propria persona mea die & anno (sc.) accessi ad messuagiū in hzevi p'dice specificae Et per Sacrd' **N. B. C. D. E. f. g. h. i. k. l. m. n. o. p. q. r. s. t. u. v. w. x. y. z.** probor & legalium hominū de Com p'dict & vilnet in eodem hzevi specificae habito respectu ad verum valorē ejusdem messuagij idem messuagiū cum p'tid in quatuor partes equales partiti feci unam partem partiū illarū videlicet, (sc.) tenendū **P. S. & T.** urozi ejus in hzevi p'dicto nominat in sepeialitate in Jure ejusdem **J.** Et aliam partem inde videlicet (sc.) tenendū **J. C. & E.** urozi ejus in hzevi p'dice nominat in sepeialitate in Jure ejusdem **E.** & due alie partes inde videlicet (sc.) tenendū p'efae **J. C.** in sepeialitate in jure suo proprio Et Ego p'fiae Vic die & anno supradict' eas deliberari & assignū feci p'out idem hzebe in se exigit & requirit.

A. B. Ar. Vic'.

Vide Offic. Brev. 204. Dalt. 266. Wilk. Lat. 157.

Retorn of a Writ of Partition of Lands divisible into Five parts.

N. Ego W. L. M. R. Vic Com p'dict Justie Dnd Regis in hzevi huic Schedul' annex' specificae ad diem & locum in eodem hzevi contentē certifico qd virtute hzevis dñi Dnd Regis mihi directē & huic Schedul' annex' vice-

fimo

simo sexto die Julij anno regni dñi Ead Re-
gis nunc decimo nono assumptis mecum R.
S. Gen S. P. W. D. G. C. T. R. R. B.
S. S. W. R. C. C. O. S. W. & R. C. pñis
& legalibus hominibus de Comd meo in pro-
pria persona mea accessi ad tēta in hzebi
pñice specificat Et ad tunc & ibidem p eor
Sacrd (habito respectu ad verum valore
eorundem Tenementor cum pñice) in pre-
sentia R. S. W. S. P. J. S. & P. S. in
eodem hzebi nominat per me prius pñunice &
Tenementa pñice cum pñice in quinq par-
tes equales secundum exigentiam hzebis pñice
ptiri feci Et unam quintam partem (videli-
cet) unum mesuagiu vocat H. unum horreum
unum stabulu & unum Pomar cum pñice &
seperat pecias sive parcelle terre arabilis pra-
ti & Pasture cum pñice continet in toto
per estimacionem viginti & octo acras sive
plus sive minus & cum eodem occupat sive
dimissu scituat jacent & existet in Parochia
de L. in Comd pñice modo in tenura sive oc-
cupatione M. P. vidue & quatuor parcelle
holci unde una parcelle vocat P. una al
parcelle vocat H. C. una al parcelle vocat
W. & quarta parcelle adjacen teri nuper A.
G. continet in toto per estimacionem quinq
acras sive plus sive minus jacent & existet
in Parochia de L. pñice cum omnibus & sin-
gulis suis pñice eidem aut alicui parti eo-
rundem Tenementor pñice put p metas &
bundas modo dividuntur parcelle Tenemen-
tor integror in hzebi pñice mentonat R. S.
in hzebi pñice nominat libari & assignari feci
tenend ei in seperalitate p se secundum formam
& effectum hzebis illius. Ne unam al quin-
tam partem videlicet unum mesuagiu unum
horreum unum stabulum unum pomarium

- W** vocat **L. C.** & seperat pec sive parcell terre
 pziati & pasture continend p estimationem sexa-
 gine acras sive plus sive minus jacent & exi-
 sten' in **W. & W.** in hzebi pdice mentonat mo-
 do in tenura sive occupatione **J. D.** ad omnibz
 & singulis suis ptinenciis scilicet parcell
 tenementor integror in hzebi pdice mento-
 nae cum omnibus & singulis suis ptined
 aut alicui parte eozundem Tenemene pdice p-
 tined put p metas & bundas modo divi-
 duntur **J. S.** in hzebi pdice nominat levari
 & assignari feci tenend ei in seperalitate p se
 secund' forma & effectum hzebis illius **Ac**
 unam aliam quintam partem videlicet und
 meluag unum Gardin & seperales pecias
 terre arabilis continend p estimationem viginti
 acras abuttand in Terras Glebal' vicar de
 Uyminge modo in tenura **C. C.** & unam pec
 terre arabilis continend dimid unius acre
 sive plus sive unius jacent in Parochia de Uy-
 minge abuttand in terras Glebal' Vicar de
 Uyminge ad terras **S. H.** vocat Milfield ver-
 sus bozeam in tenura sive occupatione **S.**
S. &c. silit parcel Tenemene pdice integror
 in hzebi pdice mentonae cum omnibus & sin-
 gulis suis pertind put p metas & bundas
 modo dividuntur **P. S.** in hzebi pdice nomi-
 nae libard & assignari feci tenend ei in se-
 peralitate p se secund' forma & effectum hze-
 bis illius **Ac** unam alia quinta partem vi-
 delicet unam periam sive parcellam Marisci
 frisci communiter vocat Moatfield conti-
 nend p estimationem viginti acras sive plus
 sive minus abuttand sup Regia via flus bo-
 real' ducent ab **J. C.** usq ad old Sumney
W. jacent & existen' in Paroch de **J. C.** in
 Comd pdice modo vel nuper in tenura sive oc-
 cupatione **P. C.** al' parcel' tenementor inte-
 gro

grore in brevi pdict mentionat cum omnibus
 & singulis ptiū put p metas & bundas mo-
 do dividuntur W. B. in brevi pdice nominat
 libari & assignari feci tenens ei in sepalitie
 p se secund forma & effectum brevis illius
 Ne unam aliam quintam partem videlt una
 peciam sive parcellam marisci frisci continend
 p estimacionem decem acras, &c. similiter al
 parcell' tenitoꝝ integrozum in brevi pdice
 menkonat cum omnibus & singulis suis ptiū
 put p metas bundas modo dividuntur H. B.
 in brevi pdict nominat libari & assignari feci
 tenens ei in sepalitate p se secund forma & ef-
 fectū brevis illius Ita qd nec pdict N. neq pd
 J. P. W. & H. habeant plus de tenemen-
 tis in brevi pdict menkonat cum pertineū
 quam ad ipsos pertinent ad habens Ita qd
 pdict N. de pdice pparte sua ipsum de Ce-
 nementis pdict cum pertiū similie contingend
 Et qd pdict J. de pdice pparte sua pdict
 cum ptiū silit contingend Et qd pdictus
 H. de pdice pparte sua ipsum de Cene-
 mentis pdice cum pertiū silit contingend Et
 qd pdict W. de pdict pparte sua ipsum de
 Tenementis pdict cum pertiū silit contingend
 Et qd pdict H. de pdict pparte sua ipsum
 de Tenementis pdict similiter contingend
 seperatim appuare se possint put per idem
 breve pcepiebatur In cuius rei Testimoni-
 um tam, &c. quam, &c. huic Schedul' sigil-
 la nostra seperatim, &c.

Note, If any of the Parties be absent, the
 Sheriff may make his Retorn thus : Et quoad
 una partem tenitoꝝ pdice spec A. B. in eodē
 brevi similie nominat ad Partikonem pdice
 deliband & assignd Justic infraspes certifico
 qd nullus ex parte ipsius A. B. ven ad re-
 cipiend

Banc. Reg. *recipiente de me eandem partem Ita qd unam
partem ill' p'fat M. B. liberat & assignare non
potuit put h'be p'dict in se exigit, &c. Kitch.
267. b.*

*Simile de duabus partibus. Dalton A-
bridgment 168, b.*

Note. The Sheriff must Return the Partition
by Writing indented under his own Seal, and
the Seal of every Juror.

Upon a Partition to be made between Te-
nants in Common, where one of them hath
purchased other Lands which lie intermixt
and cannot be known, the Party which pur-
chased such Lands ought to shew the Jury
the Bounds, (or the certainty or number of
Acres) of his Land so purchased, but if nei-
ther Party will give Evidence therein to the
Jury, yet the Sheriff and the Jury are to make
Partition at their Perils as well as they can,
Dyer 265, 266. Dalton 265.

Parliament. *Vide ante in Canc'.*

Presigas diem.

*Presigas
diem.*

Return of a Writ of *Presigas diem*, upon a Plaint
in Replevin removed by *Cerciorari* out of an
Inferior Court, return'd executed by the
Sheriff.

*N. Virtute istius brevis mihi direct' pre-
fixi infranominat G. & C. diem coram Justic
infrascript apud Westm scilicet a die Alii Mi-
chis in tres septimanas qd tunc sint coram
eisdem Justic in loquela infrascripte prout
justum fuit p'cessur put interius mihi pre-
cipitur.*

J. B. Ar. Vic'.

Præmunire.

The New Retornia Brevium

Præmunire. Vide ante in Canc'.

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Banc. Reg.

And note, The Garnishment or Warning ought to be two Months before the Retorn, and the Day ought to be set forth.

For the Sheriff retorn'd, That the Defendant was garnished generally, and shewed not upon what Day, &c. and it was held void. *Str. Ret. 65. Br. Ret. 56. Dalt. 267.*

Pone.

See before *Accedas ad Curiam. Vide Dalt. Offic. Vic. 269.*

Pleg' de p'oss J. D. R. f.

Infrascripte H. C. Attach est per Pleg' D. f. R. D.

Or the Party may be attached by his Goods, and the Retorn thus :

Infrascripte H. C. Attachiae per unum equum pretij 20 s.

Where the Party has not sufficient,

Infrascripte J. D. Nihil habet in balliba mea per quod Attachiari potest. Here 'tis observed, that every *Pone* is only a Summons, to command the Sheriff to Summon, or prefix a Day to the Parties, Plaintiff and Defendant, that they appear in *Banco, &c.*

Præcipe

The New Retorna Brevium.

Præcipe qd' reddat, &c. of Land.

The Sheriff may Return that the Tenant is Dead; But he may not say,

That the Defendant is not Tenant, for he may Summon him in *Terra petita*.

Nor that the Defendant *Nil habet, unde cum Summoniri potuit*.

Nor that the Defendant *Non est inventus, (Causa qua supra.)*

Nor that the Tenant is an Infant or *Feme Cowers*.

Nor that the Tenant hath yielded the Land to the Demandant; for if the Tenant shall yield the Land to the Demandant; yet the Sheriff must Summon the Tenant, and must Return the same, for that such yielding of the Land must be in the Court, &c.

In a *Præcipe* against two, and the Sheriff returneth one of them summoned, and the other not, this is not good, for he must Summon them both, and so make his Return.

If the Sheriff shall Return the Tenant Summoned, the Sheriff is punishable.

And it is noted, That in a *Præcipe quod reddat*, there must be two Summoners at the least, and the Sheriff or his Officer in presence of those Summoners, ought to Summon the Tenant to keep his Day of the Return, (naming that in certain) and also he ought to name the Demandant, and the Land in Demand. *Vide Dalt. 267, 268. Dalt. Abridg. 170, &c.*

Procla-

The New Retorna Brevium.

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Banc. Reg.


Proclamation.

See before in *Canc' de Adjournament' Parliamenti.*

And see { *Sur Exigent.*
Procl Extra Canc.
Admeasurement.
Dower.
Wast, &c.

Retorn of a Proclamation in Wast.

Pleg Iohes Doo, Ricus Roo.
Sund Willus Fen, Ricus Den.

Et ulterius Ego R. B. Armiger Dic Comd
infrascripte Justic Dñi Regis infrascripte
certifico qđ post Sund pdice scilicet die & anno,
&c. infrascripte existend die dominico immedi-
ate post divinum servitium in Ecclesia Pa-
rochial de B. infrascripte null' pdicatione ad-
tunc & ibidem existend apud maximum usual
offium Ecclesie Parochial illius infra quam
quidem parochiam tenta infrascripte facent &
existunt Proclam feci Sund pdict' secund
formam Statuti in huiusmodi casu edic &
provis.

R. P. Ar. Vic'.

Proprietate probanda.

Upon a Replevin (*alias* or *pluries repleg'*) if
the Defendant claimeth Property, in the Cat-
tel or Goods distrained, the power of the She-
riff is determined, so as he may not Replevy
or make Deliverance, but he is to Retorn *2d*
Def.

But Reg. Def. clamat averia, &c. esse sua Ideo, &c. and
 upon such Retorn the other Party may Sue
 out his Writ *de Proprietate probanda*, to inquire
 before the Sheriff of the Property, &c. See
Dalt. chap. 73. and Dalt. Abridg. 170, &c.

Retorn in Replevin that the Defendant
 claim'd Property.

*Illud breve ac duo al' brevia simul & se-
 mel mihi delibac fuer' 16 die Apr' post dat
 istius brevis & non antea Et virtute istius
 brevis accessi ad B. in Com' meo ubi Averia
 infrascripte fuer' ad ill' infrascriptas C. reple-
 gians Et infrascriptas C. B. Ap' in iure suo
 prop' Et infrascriptas R. W. & R. F. ut hab
 libi ipsius C. claud' proprietatem averiorum
 p'dice fore prop' p'dice C. Et ideo averia ill'
 p'fac' J. repleg' non potui iuxta exigenc' hu-
 jus brevis. Vide Brev. Judic. 274.*

H. M. Mil. Vic'.

Quare impedit.

In a *Quare impedit*, the Sheriff must Summon
 the Defendant, and this Summons may be made
 in the Church, or to the Person.

The Sheriff in this Writ may Retorn *Quaer non invenit Plegios de psequendo*. Vide
Dalt. 270. Dalt. Abr. 174.

Also he may Retorn *Tarde*.

Also he may Retorn *Nihil* upon the Sum-
 mons, and upon the Attachment, and upon
 the *Distringas*.

Retorn'

Retorn' Quare impedit Sede vacante.

Pleg' de p^a J. D. R. S.

Sund infrascriptae Decan' & Capitul' Ecclie
Cathedralis Ebor^a. Custodi special' Archiep^o
Eboracensⁱ sede dⁿⁱ Archi vacan^t. C. M. & J.
W. Clerici & eor^u cujuscunq^{ue}. J. D. R. S.
Vide Brev. Judic. 272.

Quid juris clamat.

Upon a Writ of Summons in a *Quid juris*
clamat, the Sheriff is to Retorn the Party sum-
moned in this, or the like manner.

Pleg' infrascriptae { C. P.
J. S.
J. D.

A. B. Ar. Vic^o.

Aliter Sur Distringas.

Iustic infrascripte certifico qd infrascriptae
C. P. Attach est p^{er} duas Daceas p^{er}ij trium
Lib^{ra}24.

W. A. Ar. Vic^o.

Vide Brev. Judic^o. 236.

Recordari facias Loquelam.

Vide ante Accedas ad Cur^o, &c. Et vide
Brev. Judic. 233. Tit. Refalo. & 263. Accedas
ubi Sectator. noluer. deliberare Record. aliter
Accedas in brevi de Recto. Id. 264, 265.

Replevin.

Replevin.

Retorn. de Replevin sur Retorn. habend' A:
veriorum, &c. vide ante Cap. in Wither-
nam, & homine replegiando.

Upon a *Replevin* directed to the Sheriff, it
is said he need not (by the Common
Law) to Retorn the Writ, until the *Pluries*
Repleg', but may make Replevin upon his own
Authority; but if at the *Pluries* he doth no-
thing, then an Attachment shall go against the
Sheriff. *Vide Dal.* 273. *Abridg.* 176. b.

And all these Writs, *scilicet*, the Replevin *Ali-
as* & *Pluries* may be sued out all at one time,
and delivered to the Sheriff as the Plaintiff
shall think good. *Ibid.* & *Fitz. Replev.* 3.

Upon the *Replevin* the Sheriff may make
these Retorns following, if the Case so require.

1. *Pleg' de p's & de Retorn inde habend' si
Retorn inde adjudicet. J. D. R. R.*

*Virute, &c. replegiari feci (or deliberari
feci) infrañotae R. averia infrañec put in-
terius mihi p'cipitur.*

Averia elongata.

2. *Qu' averia & catalla infrañotae R. (que
J. S. cepit & injuste detinuit ut dicti) elon-
gata sunt (ad loca mihi incognita) p' p'dice
J. S. Ideo p'lae R. averia & catalla sua
p'dice repleg' non possum put interius mihi
p'cipitur.*

3. That

3. That the Defendant hath eloigned, or Banc. Reg. conveyed away the Cattel, out of his Bayliwick or County. *Ideo, &c.*

4. *Ad accessi ad locum, &c. Et visum habere non potui de aberiis, &c. Ideo, &c.*

5. *Ad nullus venit ex parte Querentis ad demonstrandum mihi aberia. Ideo, &c.*

And yet if the Plaintiff sheweth the Officer a Strangers Cattel, and the Officer delivereth them, he is a Trespasser by some Opinions, yet by others not, for by common Reason the Sheriff cannot take knowledge which are the Beasts of the Plaintiff, and which are not. *Keil. 129.*

6. That the Defendant claimeth property in the Goods. *Ideo, &c. ut ante.*

7. That the Plaintiff hath taken his Cattel again.

8. That the Cattel are Dead.

9. That the Defendant hath put the Cattel within the Rectory of the Church of *W.* so as he cannot make deliverance.

10. Also where the Cattel are driven into a Fort or Castle, it seemeth that the Sheriff may Retorn *Elongata*; and upon these Retorns the Plaintiff may have a *Capias* in *Wisternam* where occasion requires.

But these Retorns following are not good.

1. That the Cattel are in a Fort, Castle or Park, so that he could not make deliverance, it is not good.

2. *Ad aberia, &c. elongata sunt ad loca incognita infra Comitatum meum*, is not good, for the Sheriff is to take notice of them, if they be within his County.

3. *Ad visum habere non potui de aberiis*, is not good without saying, *accessi ad locum, &c.*

Banc' Reg.

4. That the Bailiff or Servant claimeth property for his Master, &c. for by some Opinions the Master cannot claim property by his Bailiff or Servant. *Quar'.*

5. That there are no such Goods or Cattel within his Bailiwick; for in such Case the Sheriff must Retorn, *qđ elongata sunt.*

6. That the Defendant took the Cattel for Queen's Debt, &c. or that the Defendant delivered the Cattel to another in Execution by force of a Recovery, &c.

These are no goods Retorns.

7. Also the Sheriff upon a Replevin, &c. may not Retorn, *Wandabi ballibo libera- tis, &c. qui mihi nullum debet responsum, or qui non vult facere delibae:* For that the Sheriff upon such a Retorn, &c. made by the Bailiff of the Liberty, or upon such default of the Bayliff, ought himself presently to enter into the Franchise, and to make deliverance of the Cattel, &c.

Aliter Repleg'.

Pleg' de pā & de Retorn inde habens si Retorn inde adjudicet. J. D. R. f.

Virtute, &c. Repleg' feci infrascripte R. a- veria infrascripte put in isto bzebi mihi pre- cipitur Et ulterius infrañoiac Dño Regi certifico qđ nullum aliud bzebe de infrascripte averiis Repleg' unqm ppter istud bzebe mihi delibae fuit, &c. Kitch. 263. similiter Dalt. 273. and he there makes a Quarre, if the latter Clause be good.

Aliter.

Aliter.

Virtute, &c. (tali die & anno) Repleg' lecti R. B. infrañoiat averia sua infraſcripſe que infrañoiat C. M. & R. B. cepit & injuſte deſtinuer ſecund ſormam hujus hzebis put interius mihi pſcipitur Et infraſcript C. & R. Attachiati ſunt p centum oves pzetij 6 l. p C. f. ballibum p plitum J. C. & R. M. Et infrañoiat R. B. Attachiat eſt p dice ballibum meum per tres Vaccas pzetij 3 l. per pdict J. C. & R. M. Et nullum al mandae ſive hzebe Dñi Regis pzetor iſtud hzebe de averijs pdice repleg' ante adventum iſtius hzebis mihi unquã liberat fuit. Vide Kitch. 262. & ſimiliter Dalt. 273.

Retorn. de Replevin ſur Retorn. habend.

Pleg' de pſ & de Retorn' } B. C.
hend ſi, &c. } D. C.

Virtute iſtius hzebis mihi directè delibari (ſive repleg') ſect infrañoiat R. B. averia que eidem R. B. in Cur Dñi Regis adjudicat fuet put interius mihi pſcipitur.

Upon the *Retorn' Habend'*, the Sheriff may Retorn *qd. averia elongata ſunt, &c.* Dyer 41. Dal. 275.

But if the Writ *de Retorn. Habend.* be awarded to the Sheriff after the Writ of ſecond Deliverance prayed by the Plaintiff, then the Sheriff hath no power to execute the *Retorn' Habend.* but the ſecond Deliverance, for the Writ of ſecond Deliverance, is a *Superſedeas* to the *Retorn. Haben.* ſo as the Sheriff cannot Retorn it. Dyer 41.

A a 2

And

Banc' Reg. And by some Authorities the Writ de Retorn. Habend. is not retornable.

Retorn of a Precept upon a second Deliverance in *Com & Aberia elongata*; *Pleg' de ps & de Retorn habend*, &c. *J. D. R. R.*

Virtute, &c. *Ego W. R. unus ball' infra-
noiae petij de J. C. & R. R. infrascript videlt
de tribus bobus p'ec cujussibet bobis 20 s.
& duobus equis p'ec cujussibet equi 20 s. &
renuere inde facere deliberationem Et p'dice
Aberia elongata sunt ad loca mihi ignota
p quod inde deliberationem facere non potui
put interius mihi p'cipitur Et p'dice C. J.
Attach est p unam crateram Argenti ad va-
lent 20 s. Dalt. 275. similiter Kitch. 262. b.*

If it goeth against the Plaintiff upon the second Deliverance, the Judgment generally is, that the Defendant shall have the Cattel retorn'd to hold *irrepleg' imperpetuum*.

After a second Deliverance the Plaintiff discontinued his Action, and moved the Court to have another second Deliverance, but denied by the whole Court. *Vide Br. Judic. 245.*

Parcell' Retorn' & resid' Elongat'.

*Virtute illius h'ebis mihi direct scilicet
(tali die & anno) Retornari feci infra-noiae
R. D. quatuor Vaccas put istud h'ebe in se
exigit & requirit Et ulterius Justic infra-
scripto certifico qd resid' Aberioꝝ p'dice elon-
gat sunt p p'lat R. D. ac infrascript. J. J.
& al' ad loca mihi ignoe Ob quod p'dice resid'
Aberioꝝ p'dice p'lat R. D. ad p'sens retornari
facere non possum. Brev. Judic. 266. Vide
postea.*

Aliter

Aliter sur Retorn. Habend. secund. Kitch. 262.

Virtute istius brevis Justic infrascripte
certifico quod Retorn feci infrascriptis J. B. illa
Aberia infrascriptae W. B. que eidem J. B.
adjudicatae fuer. ob defc. ipsius W. salvo &
secut. custodiendi ita quod ea pstat W. ad quere-
moniam ipsius W. nullo modo deliberare
sine brevi Dni Regis quod de pstat Judicio
expressam facit mentionem juxta formam hu-
jus brevis.

Aliter secund. Wilk. Lat. 141.

Virtute istius brevis mihi direct. delibe-
rari feci infrascriptis J. B. Aberia que C.
M. cepit & eidem C. M. in Cur. Dni Regis
adjudicatae fuer. put. interius mihi pcepitur.
Vide Wilk. Lat. 141.

Aliter secund. Greenw. 231.

Ante adven. istius brevis mihi direct. aberia
inframentonae elongae fuer. p infrascriptae C.
R. ad loca mihi ignot. p quod Aberia illa
infrascriptae P. Retorn non potui Et pdict. C.
non est invent. in balliba mea.

T. R. Ar. Vic.

Aliter secund. eund. fo. 230. with Cepi corp.
for Damages.

Ante adventum istius brevis equa infra-
mentonat p infrascriptae G. H. elongata fuit
ad loca mihi incognit. ita quod equam pdict. in-
frascriptis J. H. & H. Retorn non potui sicut
interius mihi pcepitur Et ulterius infra-
mentonat

Banc. Reg. mencionat Justic certifico Quod virtute istius
 brevis Cepi corpus infrascriptae G. D. cujus
 corpus coram dict Justic ad diem & locum in-
 fracontente parat habeo prout interius mihi
 precipitur.

Averia elongata sur secd. Deliverance Et non
 potuit habere visum.

Ante adventum, &c. Averia infrascripte p
 infranominat E. C. elongata fuit ad loca
 mihi incognita ita qd visum eorumdnd infra-
 scriptae A. D. & E. C. returnand habere non
 potui put interius mihi precipitur. Kitch. 262.
 a. Wilk. Lat. 141.

Averia elongata sur secund. Deliverance.

Ante adventum istius brevis Averia in-
 fraspec elongata fuit p infrascriptae J. M. ad
 loca mihi ignota sic qd Averia illa infrascript
 P. M. Retorn non possum juxta formam
 hujus brevis. Kitch. 262. b.

Retorn. brevis de Retorn. Habend. ubi Ave-
 ria elongata sunt.

Et Justic infrascripte ad diem & locum in-
 fracontent certifico qd Averia infrascripte
 ante receptionem hujus brevis elongata fue-
 runt ad locum mihi incognit p infranominat
 A. B. Ita qd Averia illa infranominat E.
 D. retornari facere non potui put interius
 mihi precipitur.

A. B. Ar. Vic'.

Offic. Brev. 234.

Retorn

Retorn. Averia elongata cum Inquir. de
Dampnis.

Virtute istius hzebis mihi directe Justie
infraſcripe certifico qđ antea iſtud hzebe mihi
delibae fuit Averia infraſcripe elongat fuit p
infraſcripat R. M. ad loca mihi ignota Ita qđ
Averia ill infraſcripe C. Retorn non potui
put, &c. — Reſis executōm hujz hzebis pa-
tet in quadam Schedul huic hzebi annex. C.
B. Ac Dic.

Inquiſito, &c. qui dicunt, &c. Ad C. B. in
dco hzebi, &c. ſuſtinuit dampna oſtione in
eodem hzebi ſpec ad 6 l. 13 s. necnon p miſſ
& cuſtag ſuis p ipm, &c. ad, &c. In cujus, &c.
Vide Brev. Judic. 247.

Vide Brev. Judic. 248. Retorn habend &
hzebe Inquirent de Dampnis & ſecund De-
liberanc & Inquiſition firſt Retorn Et Judic
ſur ceo.

Id. 252. It is noted, that if the Defendant
does not ſue a Retorn habend within the
Year, that he is put to a Scire facias oſtens
quare Retorn non heret, &c.

But a ſecond Deliverance may be ſued after
7 Years elapſed.

If the Defendant hath a Retorn awarded
him, and he ſue a Writ de Retorn habend,
and the Sheriff Retorns upon the pluſr qđ Ave-
ria elongata ſunt, &c. here he ſhall have a
Scire fac againſt the Pledges. Fitz. 74. Fitz.
Wiſther. 11. Dalt. 273.

Where the Sheriff taketh inſufficient Pledges
de Retorn habend they are no Pledges. Br. 2.
Dalt. 275.

Base. Reg.

And it is there noted, That if after a Retorn habent sufficient amends shall be tendered, he ought to accept thereof, otherwise the Plaintiff shall have a Writ of Detinue. Br. 6, 17. simile Brev. Judic. 255.

And that where the Tenant offers the Rent or Amercement, ~~tempore districtionis~~ ^{ante} or after the Distress taken, and the Lord refuse it, he shall have no Retorn. *D. 275.*

Alicui Pars averion. Retorn. resid. elongata.

N. Justic. &c. certifico qd virtute istius hzebis mihi direct Retorn lect infranominat A. B. duos Pullos de averiis infrascripte p. ut interius mihi precipitur Quodq. ante addentum istius hzebis resid Averior elongata fuerunt per infranominat C. D. ad loca mihi incognita Ideo resid Averior p. dicit A. B. Retorn facere non potui p. istud hzebe in se exigit & requirit.

Offic. Brev. 225.

A. B. Ar. Vic.

Averia mortua.

N. Justic. &c. infrascripte certifico qd ante addentum istius hzebis una vacca Averior infrascripte mortua est Ita quod vaccam ist. infranominat A. B. deliberat non potui sed virtute istius hzebis resid Averior infrascript infranominat A. B. Retorn feci p. interius mihi precipitur.

Offic. Brev. 235.

A. B. Ar. Vic.

Retorn.

The New Retorna Brevium.

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Banc. Reg.

Retorn. habend. ubi recepit breve de secunda
deliberatione.

N. Post receptionem istius brevis & ante
execucionem ejusdem recepi quoddam alius
breve dicti Dñi Regis de secunda delibera-
tione mihi directū quod huic brevi est annex'
p quod execucionem istius brevis facere non
potui put interius mihi precipitur. Offic.
Brev. 235.

Retorn brevis de secunda Delibari p'dice
brevi de Retorn habend annex'.

Pleg de p'os { J. Doe.
 E.
 R. Roe.

Virute, &c. delibari feci infranotiae A.
B. Alberia infrascripte pnt interius mihi
precipit. Offic. Brev. 235.

Infranominat C. D. Attach { J. Denn.
est per { R. Fenn.

Redisseisin.

Retorn. inde & Inquir. de Dampnis.

Ad quem diem, &c. Et Dic. videlicet C. C.
Et modo mans hic quandam Inquisitionem
coram eo apud B. in Com p'dice 10 die De-
cembe ult p'terit per Sacm duodecim, &c.
capit p quam compert est que Disseisina p'dice
face fuit p'lat W. W. p p'dice R. P. & A. p
duos annos & unū quarter unius anni elaps
Et qd testia p'dice cum p'tim valent p annū
in omnibus Exit juxta verum valorē eoz.

Banc. Reg. 40 l. Et ulterius qđ pđict **W. & M.** sustinu-
er dampna tam ockone disseind pđict qđ p
mis & custag' suis p ipm circa sextam suam
in hac parte appoit ad 7 l. 7 s. 4 d. per In-
quisitōm pđict superius compere, &c. **Offic.**
Brev. 351.

Seisin executed by one Sheriff, and retorn'd
by another.

Judic in Ingress sup disseind Et seisin
supinde Retorn p nunc Die exerce p son
Predecessor. — Et hic videlt **J. C.** modo
mans qđ **H. C.** nup Die Com pđict Predeces-
sor ipsius nunc hic virtute hzebis pđict sibi
direct (tali die, &c.) sibi pcept fuit) quod
quidem hzebe in forma pđice servie & exerce
plafat nup Die delibabit eidem nunc Die in
Exit ab Officio suo, &c. Vide Judic. Brev. 109.

Rescuss' Retorn' inde,

Vide ante Fieri facias, Et vide in Scaccario
Tit Rescuss'.

Retorn. de Rescussu per Ballivum Jurat'.

N. Virtute istius hzebis mihi directi feri
quoddam Warantū meum cuidam **C. P.** bal-
livo meo jurat & cogit ad capiend & arrestand
C. S. infranominat qui quidem ballibus
virtute Waranti pđice die & anno, &c. apud
C. in Com **S.** infrascripe corpus pđict **C. S.**
cepit & arrestabit & ipsum **C.** in Custodia sua
adtunc & ibidem habuit super quo quidam
G. R. de R. in Com pđice Yeoman in platū
ballivum meum adtunc & ibidem insultum
fecit

fecit & p̄dice C. B. ad tunc & ibidem in Cu. Banc' Reg.
 custodia p̄dice ballivi mei Vi & armis cepit &
 rescussit & p̄dict C. seipsum ad tunc & ibidem
 a Custodia ballivi mei p̄dice Vi & armis res-
 cussit ac evasit & elapsabit contra pacem dñi
 Dñi Regis Ideo corpus ipsius C. coram
 Dño Rege ad diem & locum infracontene
 habere non possum put intertus mihi p̄ci-
 pitur.

R. P. Ar. Vic'.

Offic. Brev. 203.

Rescuss' per Ballivum itineran'.

Virtute istius h̄ebis mihi directe feci quod-
 dam Warantū cuidam R. P. ballivo meo
 hac vice intinerand ad capiend & arrestand in-
 frañoiat C. I. secund exigend istius h̄ebis
 qui quidem R. P. virtute Waranti p̄dict po-
 stea scilicet secund' die Maij anno regni Dñi
 Regis infrascript 2 apud B. in Com p̄dict
 Cepit corpus infrañoiat C. I. de B. p̄dict in
 Com p̄dict f. Qui quidem C. die anno & loco
 supradict Vi & armis in p̄lat R. P. ballivum
 meum p̄dict insult fecit & ipm herberavit
 vulnabit & male tractavit ita qd de vita ejus
 despabatur Et idem C. ad tunc & ibidem a
 Custos p̄dict ballivi mei & contra voluntat
 suam recessit elapsabit & rescussum fecit con-
 tra pacem dñi Dñi Regis nunc, &c. Et po-
 stea idem C. I. non est invene in balliva
 mea, Vide Kitch. 261. simile Dalt. 216.

Aliter secund. Dalt. 215.

Infrascript R. P. captus fuit apud D. 10
 die Maij anno infrascript p C. B. ballivum
 Dñd Regis & mei virtute cujusdam Waranti
 p̄ci-

Banc. Reg.

per textu huius brevis p me facti & tibi dicitur
Et sup hoc p dicit R. D. cum altis ignoz. di
& armis, viz. baculis, &c. in deo ballivum
insule fecer & seipm a Custos p dicit ballivi
Rescuss & nunqu postea eundem R. D. in
balliva mea invenire potui.

Aliter per Ballivum Itineran.

ff. Executio istius brevis patet in quada
Schedula huic brevi annex.

R. P. Ar. Vic.

Schedula.

ff. Virtute istius brevis Dnd Regis mihi
direct & huic Schedule annex feci quoddam
Warrantum meo cuidam J. M. ballivo meo
itineran ad capiend & arrestand C. G. in di
cto brevi nominat secund exigent ejusdem
brevis Qui quidem ballivus meus virtute
Warranti mei p dicit die & anno, &c. in dicto
brevi nominat apud, &c. in Com, &c. cepit &
arrestabit corpus p dicit C. G. de, &c. in Com,
&c. Et ad tunc & ibidem ipsum C. G. in Cu
stodia sua habuit sup quo J. G. de, &c. & C.
M. de, &c. ad tunc & ibidem Mi & armis
videlicet gladiis pugionibus & baculis in
p dicit ballivum meum insultum fecerunt &
ipsum ballivum ad tunc & ibidem contra Re
gem & consuetudinem Regni dñi Dnd Regis
Anglie & contra voluntatem ipsius J. M.
ballivi mei imprisonaver & ipsum ballivum
meum in Prisona ibidem p spatium unius
hoze ad tunc & ibidem detinuer & viginti de
narios in pecuniis numeratis de bonis ca
tallis & denar ipsius J. M. ballivi mei a
persona dñi ballivi ad tunc & ibidem in Cu
stodia

ffos dñi ballivi mei ceperunt ac p̄fati C. Di Banc. Reg.
 & armis p̄dict adtunc & ibidem a Custos dñi
 ballivi mei ceperunt & rescussit necnon idem
 C. seipsum adtunc & ibidem a Custos ejusde
 ballivi mei rescussit contra voluntas ipsius
 J. M. ballivi mei & contra pacem dñi Dñd
 Regis nunc. &c. Et postea idem C. non est in-
 vene in balliva mea.

R. P. Ar. Vic'.

Vide Offic. Brev. 203. Kitch. 260.b. similiter
 Dalt. 215. Libr. Intr. 579. Wilk. Lat. 146.

Retorn. de Rescussu per Ballivum Hundredi.

N. Virtute istius brevis mihi directi feci
 quoddam Warantum meum C. W. Ballivo
 Hundredi de N. in Com B. infrascript qui
 mihi sic respons qd ubi ipse virtute Warant
 p̄dict die & anno, &c. infrascript apud, &c.
 cepit quendam J. B. & ipsum usq ad Gaold
 Dñd Regis Castri sui W. ducere voluisset i-
 bidem salvo Custos illuc vener quidam J. C.
 & A. B. cum pluribus aliis ignot Di & ar-
 mis araiat modo Guerino & a Custos dñi
 ballivi mei apud, &c. p̄dict J. B. ceperunt
 & obdixerunt & eum necuisse voluerunt nisi
 ipsum J. B. evadere pmiserit Et sic ob
 metu mortis sue ipsum J. B. evadere per-
 misit Et ea de Causa corpus p̄dict J. B.
 coram Dño Rege ad diem infracontent ubicunq,
 &c. here non possum put interius mihi p̄ci-
 pitur. Et ulterius vobis certifico qd post p̄s
 did, &c. anno, &c. p̄dict J. B. non fuit invene
 in balliva mea.

R. P. Ar. Vic'.

Offic. Brev. 203. Wilk. Lat. 147. Kitch. 261.
 & Dalt. 216. Vide postea Mand. Ballivo
 Libertatis.

Retorn

 Retorn of a Rescous upon a Capias ad respondend.

Virtute istius brevis mihi directi feci quoddam Warant P. P. & J. M. Ballibis meis conjunct' & divisim ad capiend' & arestand' infranominat J. C. virtute cujus quidem Waranti sibi ipsis directi p'dice P. P. & J. M. postea & ante Retorn hujus brevis scilicet 10 die Novemb' anno infrascripte apud M. in Com' infrascripte in Balliba mea ceperunt & arestaverunt p'dice J. C. secund' Exigenciam hujus brevis Et ipsum in Custod' ipsos Ballibor' meor' adtunc & ibidem salbo detinuer' quousq' quidam R. P. de M. p'dice Husbandman C. P. de eadem Vintner & L. M. de B. Yeoman, & al' person' ignot' apud M. p'dice Vi & armis in ipsos P. P. & J. M. Ballibos meos p'dict' adtunc & ibidem insule fecerunt & ipsos verberaverunt vulneraverunt & male tractaverunt Et p'dict' J. C. adtunc & ibidem extra Custod' Ballibor' meor' p'dictor' rescusserunt & p'dice J. C. seipsum adtunc & ibidem Vi & armis rescussit & e Custod' dictor' Ballibor' meor' evasit & escapabit contra pacem Dnd' Regis infrascripte Et postea p'dice J. C. non est invene in Balliba mea.

A. B. Ar. Vic'.

Offic. Brev. 217.

The like in another manner.

Virtute brevis Dnd' Regis mihi directe & huic Schedule annex' pro executione ejusde feci quoddam Warant' meum cuidam J. P. Ballibo meo (p' hac vice tane) ad capiend' & arestand' J. L. in eodem brevi nominat juxta exigenciam

exigenciam ejusdem hzebis qui quidem Ball. Banc. Reg.
libus meus postea scilicet decimo nono die
Septemb' anno infrascripte apud A. in Com
pdice infra Ballibam meam pdice virtute
dñi Waranti mei ei directe pñed J. A. cepit &
arestabit & ipsum J. A. in Custodia sua ad-
tunc & ibidem habuit super quo postea scilicet
die & anno supradice apud A. pdice in Com
pdice pdicus J. A. simulcum C. R. & al per-
sona dicto Ballibo meo penitus ignoe di &
armis scilicet pugionibus & baculis in pdice
Ballibum meum adtunc & ibidem insule fe-
cerunt & ipsum verberaverunt vulnerabe-
runt & male tractaverunt & pd' J. A. extra
Custod ballibi mei pdice rescusserunt Et qđ
pdice J. A. seipsum a Custod dicti ballibi
mei rescussit contra voluntatē dñi ballibi mei
& ad largum quo voluit recessit in contemp-
tum hzebis dñi Dñd Regis & contra pacem
suam Et postea pdice J. A. non est in bene
in balliba mea.

T. S. Ar. Vic'.

Offic. Brev. 217.

Aliter Retorn of a Writ of Rescufs.

ff. Virtute hzebis Dñd Regis infrascripte
mihi direct' & huic Schedule annex p executi-
one ejusdem feci quoddam Warantū meum
in scriptis sub sigillo officij mei cuidam W.
C. ballibo meo ad capiend & arestand C. R.
in eodem hzebi nominat jura exigend istius
hzebis qui quidem ballibus meus vicesimo
die Septemb' ulē pñeterit apud G. in Com
meo infra balliba meam pdice virtute dicti
Waranti mei ei direct' pdice C. R. cepit &
arestabit & ipsum C. R. in Custod mea ad-
tunc

hanc. Reg. tunc & ibidem habuit super quo postea scribitur
 p̄dicto vicesimo die Septembris apud E. p̄dicti in
 Com̄ p̄dicti E. R. simulcum R. R. de E. p̄dicti
 Yeoman, & E. ur' ejus E. D. de eadem Yeo-
 man & al' person' dco ballivo meo penitus ig-
 nor' vi & armis (videlicet) pugionibus &
 baculis in & sup p̄dicti ballivum meum tunc
 & ibidem insule fecerunt & ipsum vi & armis
 p̄dicti vulneraverunt verberaverunt & male-
 tractaverunt & p̄dicti E. R. rescussaverunt &
 p̄dicti E. R. ipsum a Custos mea contra vo-
 luntat' dci ballivi mei vi & armis p̄dicti re-
 scussit & ad largum quo voluit ibit in con-
 tempe dci Dnd Regis & contra pacem suam.

Et postea p̄dicti E. R. non est inventus in
 balliva mea.

J. W. Bar. Vld.

Offic. Brev. 226.

Aliter secund. Kitch. 261. b. Sur Ca. Sa.

Ego J. P. Mit' die virtute istius brevis
 feci quoddam Warantum J. B. & P. D. bal-
 livis meis hac vice itinerantibz ad arestand' &
 captiend' R. f. ad satisfaciend' infranominat'
 W. P. de debie & dampn' infra spec' put in-
 terius mihi p̄cipie virtute cujus Waranti
 iidem J. B. & P. D. ballivi (tali die & anno)
 apud H. in Com̄ p̄dicti arestaver p̄dicti R. f.
 put p' War' ill' eis p̄cipiebant Ac idem R.
 f. ac quidam G. f. de G. in Com̄ p̄dicti cum
 alijs ignotis vi & arm' videlicet gladiis bacu-
 lis, &c. in p̄dicti J. B. & P. D. eisdem die &
 anno apud H. in Com̄ p̄dicti insule fecer' & ipsos
 maletractaver' & adrunc & ibidem rescussum fe-
 cer' virtute cujus Rescuss' idem R. f. a Cu-
 stodia illa adrunc & ibidem contra arestatores
 p̄dicti

dicti recessit ebasit & escapabit una ppter
 plet R. f. ad diem & locum infrascripte ha-
 bere non possum Et ulterius vobis certifico
 qd post eundem diem dicti R. f. non fuit inuentus
 in balliba mea. Dale. 216, 217.

Aliter secund. eundem ibid.

Wirtute istius brevis quoddam Marane
 med feci & dixi cuidam J. C. ballibo meo
 ad attachians infrascripte J. C. ptextu cu-
 jus idem J. C. nono die Jadh anno regni
 Dni Regis infrascripte 3 apud R. in Comd in-
 frascripte cepit & arrestavit dicti J. C. cum co-
 ram me ducere volens & intendens ad sac &
 rec put in isto brevi mihi pcepit Et postea
 videlicet die nono die Jadh anno 3 supradice
 pdice J. C. nup de pd R. in Comd pdice D. a-
 pud B. pdict in pdict J. C. ballibum meum
 insultum fecit Et ab eodem ballibo obtine &
 ibidem fugit ebasit & rescusum fecit Et postea
 eundem J. in balliba mea invenire non
 potui. Simile Dale. 217

But for these Retorns of a *Rescous* (by some
 Opinions) it seems they are not good, and
 that the Sheriff shall be amerced for such Re-
 torns; for the Sheriff is to bring the Party at
 his peril, if it be in time of Peace, and he might
 have taken *Passu Comitatus* to have aided him
 therein, and besides the Sheriff may have his
 Writ of *Rescous* against the Offenders, and shall
 recover so much as he was amerced. *Fitz.*
Res. 110.

And yet where the Sheriff shall Retorn, that
 the Party hath been rescued, &c. *per ignotos*, it
 seemeth the Retorn is good, for then it doth not
 appear

Disc. Reg. appear that he can have any Writ of *Respondeat*
Plac. Reg. 110. Dalt. 117.

See concerning these Retorns of *Respondeat*,
 where, and in what Cases Action lies against
 the Sheriff for *Respondeat* or not. *Compl. Sher. 174.*
&c. and Dalt. chap. 36.

Aliter secund. Greenw. 231.

Executo huius brevis pater in quadam
Schedut huius brevis annex.

R. S. Ar. Vic.

Procurator istius brevis mihi directus huius
Schedut annex quoddam Datantum feci
quidam W. B. hallibus meo ad attestandum & co-
piens J. S. in dno brevi nominat qui quidem
hallibus meus videtur vacans meo id est die
februarii anno regni Dni Regis infra scripte
apud E. in eodem meo attestavit & cepit co-
pys p dice J. S. pater & Datant meum p-
piter Et eodem J. sic attestat cepit & in Custod
ut p dicit sub p dice attest existend Quidam
S. de B. p dicit simuleum p dice J. S. Vi &
armis videtur gladiis baculis & culellis in
ipsum p dicit W. B. hallibum meum ad tunc
ibidem insule fecer & ipsum verberaver bul-
siader & malerraver ita id de vita ejus
despabate Et p dicit E. S. ipsum J. S. sicut
p dicit sub p dice attest existend ad tunc & ibidem
extra Custod meam cepit & rescessit & ad sui
juris ad longum tee pmissit Et idem J. S.
sicut p dice sub attest existend extra Custod me-
am scilicet Vi & armis ad tunc & ibidem se ipsum
rescessit contra patrem dicit Dni Regis &c.
Et postea idem J. S. non est inventus in bal-
liba mea.

R. S. Ar. Vic.

Another

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anc reg

Another form from a Bailiff of a Liberty
with a Riot.

Virtute istius brevis mihi directi mandavi
Ballibo Libertatis de, &c. qui habet plend
retornu omnium brevium pceptorum & Mar.
rantonu sibi inde directi & qui die & anno,
&c. apud, &c. infrascriptis C. S. in eodem
Mandato sibi similiter directi nominat cepit
& attestavit & ipsum C. S. in custodia sua de
sone pda adtunc & ibidem habuit & tenuit
A. qd quidam J. C. imper de S. in Com. &c.
& J. F. de eadem, &c. aggregat eis quam-
plur alius malefactor ignotis pacisq Dnd
Regis pcurbator ad numerum decem psonae
modo guerrina armatae. Vi & armis videlicet
gladiis pugionibus scutis & baculis in ipso
ballibum adtunc & ibidem riatose insultum
feret & ipsum verberaver vulneraver & ma-
letracaver Ita qd de vita eius desperabatur
Et pda J. C. & al', &c. ipsum C. S. extra
Custod pti ballibi adtunc & ibidem ceperunt
& resuscitaverunt & ad sui iuris ad largum ire
pmiserunt Ac idem C. S. seipsum extra
Custod pti ballibi adtunc & ibidem simile re-
scitavit contra pacem dei Dnd Regis, &c. Et
postea idem C. non fuit inventus in balliva
sua.

R. P. Ar. Vic.

Offic. Brev. 204. Similit. Kitch. 261. Dalt.
216. Wilk. Lat. 148.

Restitution Retorn inde.

Virtute istius brevis mihi directi (tali die
& anno, &c. infrascripte) teneant pda cum
B b 2 pti

The New Retorna Brevium.

Banc. Reg.

ptid' reseisibi & infranotat C. & P. plenam
possessionem & seisinam inde restitui put inter-
ius mihi p'cipit. Offic. Brev. 224.

Vide ante, Habere fac seisinam & Habere
fac possessionem. similic. Dalt. 277. Wilk. Lat. 134.

Alicor secund. Greenw. 229.

Virtute istius brevis mihi direct' immediate
post receptum ejusdem infranotat C. & P. in
plenam & pacificam possessionem & seisinam
messuagij & terrar. infra p'cep' cum ptid' co-
stitui & imposui put interius mihi p'cipi-
tur.

R. S. Ar. Vic.

Resummons Retorn' inde.

Executo istius brevis patet in quadam
Schedul' huic brevi annex'.

A. B. Ar. Vic.

Nota Jur 24. M'ile unde in brevi huic
Schedul' annex' sit mentio R. M. de P. Ar
C. B. de M. Ar. &c. ad numerum 24.

Quilibet Jur p'dice sepeparatim resond' est
2 P. R. & M. R. bonos Summonitores.

A. B. Ar. Vic.

Dalt. 277, 278.

Scire facias.

A *Scire facias* is a Writ Judicial, and is usual-
ly to warn a Man to come, and shew Cause to
the Court, why Execution of a Judgment that
is past, should not be done. N. Br. 163, &c.

And

And the Sheriff upon this Writ, is only to ^{Banc. Reg.} warn the Party to appear (before the Justices, &c.) according to the Writ, and then to Return the same. *Ibid.* & vide Dalt. 278.

Return. inde.

Virtute istius brevis mihi direct p A. B.
& C. D. ppos & legales homines de balliva
mea Scire feci infranominat J. S. qd sit
coram Justic Dno Regis (or coram Dno
Rege, or coram Baro Dno Regis) ad diem
& locum infraescrip [Ad respond A. B. in-
 infranominat or essend in forma pdicte, or ad
 ostendend si quid p se heat vel dicere sciat,
 quare, &c. or ad informand dno Dno Regi
 put, &c. or ad faciendum & recipiendum ea
 que istud breve exigit & requirit, &c. accor-
 ding to the nature of the Scire facias.] Dalt.
 278. Abridg. 179. Compl. Sher. 270. Wilk. Lat.
 149.

And it is noted, That it is not enough for
 the Sheriff to Return, *Scire feci J. S. &c.* but
 he must also warn or give notice to the Party,
 Defendant, that he appear in such a Court,
 at such a Day, and at such a Man's Suit, there
 to do that which the Writ requireth, and then
 his return must be *Scire feci, &c. ad essend co-*
ram, &c. ad faciend, &c. prout istud breve requi-
rit. Vide Dalt. Abridg. 179. Kitch. 268, 269.

Return of a *Scire facias*, That the Defendant
 died before the Writ came to the Sheriff's
 Hands.

Infranominat A. B. ante diem emana-
tionis hujus brevis mortuus est Ideo eidem
 B b 3 A. B.

Banc' Reg. N. B. Scire facere non possum sibi invenire
 sibi Disfringere sibi Capere. Offic. Brev. 215.
 vide 2 Saund.

The like Retorn of the Defendant's Death,
 before the Writ issued out.

Domino Regi infraſcripe ad diem & locum
 infracontene certifico qđ infranominat N. B.
 diem suum clauſit extremum Ideo iſtud bre-
 ve nullo modo exequi facere potui. Ibid.

Aliter Scire feci.

N. Virtute iſtius brevis mihi direct per J.
 D. & R. B. probos & legales homines de bal-
 liba mea Scire feci infranominat J. D. quod
 ſit coram Juſtic infraſcripe ad diem & lo-
 cum infracontene ad Oſtendend ſi quid, &c.
 put iſtud breve in ſe erigit & requirit, or
 put interius mihi p̄cipitur.

T. B. Ar. Vic?

Offic. Brev. 229. Greenw. 223. Kitch. 268. b.

Nihil ſuper Scire facias.

N. Infranominat R. J. Nichil habet in
 balliba mea p quod ei Scire facere poſſum
 nec eſt invene in eadem, where the Sheriff re-
 turneth *Nihil habet, &c.* he muſt Retorn fur-
 ther neque eſt invene in eadem, vide poſtea.
 Offic. Brev. 220. Dalt. 279. Compl. Sher. 270.
 Kitch. 269. Wilk. Lat. 140. Greenw. 223.

Scire facias poſt annum & diem.

N. Virtute iſtius brevis mihi direct p J.
 D. & R. B. probos & legales homines de bal-
 liba

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libra mea Scire feci infranominat J. M. qd
sit coram Dno Rege infrascripte ad diem &
locum infracontene ostens si quid p se ha-
beat vel dicere scire quare J. C. executionem
de debito & dampnis put infra sit mento
versus plat J. M. habere non debeat prout
istud breve in se erigit & requirit.

J. R. Ar. Vic.

Offic. Brev. 230.

Nichil super Scire facias versus Hered' terrar'
& Tenen', &c.

N. Domino Regi infrascripte ad diem & lo-
cum infracontene certifico quod non sunt ali-
qui heredes nec aliquis Heres neque aliqui
Tenentes nec aliquis tenens aliquar Terrar'
sive Tenementor' que fuerunt infranominat
T. T. tempore reddicionis Iudicij infrascripte
in balliva mea quibus vel cui ullo modo
Scire facere possum.

T. F. Bar. Vic.

Offic. Brev. 230.

Aliter Scire facias versus Hered' & Tenen'.

N. Ego R. B. Mi Die Com p'dice Justie
Dnd Regis in brevi huic Schedul' annex' no-
minat certifico qd viante brevis dci Dnd Re-
gis mihi directe & huic Schedule annex' p J.
B. & A. M. p'bos & legales homines de bal-
liba mea Scire feci J. B. tenen' unius Mes-
suagij cum p'tid unius Gardini unius Po-
marij & unius pecie Terri continen' p estima-
ton' und acram eidem spectan' feituas facien'
& existen' in Parochia de G. in Com pre-
dice.

Banc. Reg.

Acetiam J. D. tenend unius acre terre ad
ptid in G. p'dict.

Acetiam A. D. bñ tenend unius Messuag
& unius Gardin eidem spectand in G. p'd.

Acetiam C. R. tenend unius Messuag
unius Gardin eidem spectand in G. p'dict.

Acetiam W. A. tenend duos Cottag & uni
us Gardini cum ptid in G. p'dict de terris &
Tenementis cum ptid que fuerunt R. D.
& de quibus p'dict R. fuit seise in domi
nico suo ut de Frodo in () quo die In
dic de debito & dampnis p'dict redditus fuit qd
sint Cozam Justie Dñi Regis in h'ebi
p'dict specificat ad diem & locum inframent
onae offens p'ut istud h'ebe in se Exigit &
requirit. Offic. Brev. 231. vide Brev. Judic. 258.

Acetiam certifico quod non sunt aliqui
alii, &c.

Nihil & non est invent. Retorn. versus 3.

Infranominat M. J. C. & R. Nihil habent
nec eorū aliquis habet in balliva mea ubi
aut p quod eis seu eorū alicui Scire facere
possum nec sunt invene nec eorū aliquis est
invene in eadem.

Respons'.

G. G. Mil. & G. C. Mil. Vic'.

Offic. Brev. 278. Thes. Brev. 289, 294.

Aliter.

A. D. & ceteri Def. infranominat Nihil
habent in balliva mea p quod eis Scire fa
cere possum (nec sunt invene, &c.) Vide Dalt.
279. vide postea.

Retorn

Retorn. Scire fac. versus Manuceptores.

Wirtute istius bzebis mihi direct' p C. C.
& R. G. ppos & legales homines de balliba
nra C. R. & C. B. infrañotae Scire fecimus
qđ sint coram Justie infrascripte ad diem &
locum infracontene ostend' put istud bzebe in
le erigit & requirit Ne ulterius qđ inter re-
ceptionem istius bzebis & ante retoꝝ ejusd
infrañotae D. J. Nihil habet in balliba
nra ubi ei Scire facere possumus nec est in-
ventus in eadem.

Respons'.

H. M. & J. B. Vic'.

Offic. Brev. 316.

Retorn of a Scire facias in *Ejectment*, after Judg-
 ment affirm'd upon Error in C. B.

Wirtute istius bzebis nobis direct' per
C. B. & J. B. ppos & legales homin' de balli-
ba nra Scire fecimus infrañotae R. qđ sit co-
ram Dno Rege infrascripte ad diem infracon-
tene ubicunq, &c. ad ostendend, &c. put in-
terius nobis scipis. Vide Thes. Brev. 227.

Simile in *Ejectment* pro Admin. per Nihil
 habet.

Wirtute istius bzebis nobis direct' per
C. B. & J. B. ppos & legales homin' de balli-
ba mea p quod ei Scire facere possum nec
est invene in eadem, Id. 228, 240, 251. Green-
wood 223.

Retorn'

Banc. Reg.



Retorn' Testat' Scire fac' in B. R. Epo' Dunelm'
direct' pro Adm' de bonis non Administ' de
Superviven' quer' vers' hered' & terr' tenen'.

Wirtute istius hzebis mihi direct' & huc
Schedul' annex' mandabi C. D. Willelmus
Com' Dunelm' qui quidem Willelmus Dunelm' mi-
hi respondit qd' ipse virtute pcepti mei sibi di-
xer' p C. B. & C. C. ppos & legales hoies in
balliva sua Scire fec' J. H. de Conlang' &
heredi H. H. ut in dco hzebi noias ac tenen'
Manerij de A. cum ptiis ac 100 Messuag. 100
Ac'r Terre 100 Ac'r Prati 100 Ac'r Pastur' &
100 Ac'r holci cum ptiis in A. B. C. &c. in
dco Com' Dunelm' que fuer' Manerij Messuag'
Terr' & Tenita p'dice H. H. in eodem hzebi
noias in feodo simplici die mercurij pr' post
tres Sepe scd' Trid' anno regni Dni Car' pri-
mi nup' Regis Angl' &c. 13 quo die Judic'
in dco hzebi mentonae redditie fuit vers' plac'
H. H. p' debito & dampno in dco hzebi spec' qd'
sit coram dco Dno Rege nunc ad diem Floed'
in dco hzebi contene' ad ostendens pnt' istud
hzebe in se exigit & requirit Et ulterius idd'
Willelmus mihi certificabit qd' non sunt aliqui
alii neq' plur' tenen' nec aliquis at' tenens
est aliquaq' terraq' vel tenitoq' que fuer' p'dice
H. H. die redditonis Judic' in dco hzebi men-
tonae seu unq' postea in feodo simplici in
balliva sua quibus seu cui Scire fac' ponit
pnt' eadem die p' me pceptum fuit, &c. Vide
Offic. Brev. 290.

Simile Ep'o Dunelm' vers' Admin' & Terr'
tenen' ad ostens quare Executo' non. Thef.
Brev. 279.

Aliter

Aliter Scire feci secund. Dalt. 279. ad respondend.

Virtute, &c. Scire feci infrascriptis J. S. & J. D. qd sint coram Justic Dno Regis infrascripte ad diem & locum infrascripte ad respond. R. D. infrascripte. Dalt. 279. Kitch. 268. b.

Aliter ad audiend' Record'.

Virtute, &c. Scire feci C. A. & C. Ar' ejus infrascripte (p J. B. & C. D.) qd sint coram Dno Rege ad diem infrascript ubique, &c. ad audiend' Record' & Process' unde istud breve facit mencionem Et ulterius ad faciend' & recipiend' omnia & singla) put istud breve exigit. Dalt. 279. Kitch. Lat. 268. b.

Aliter ad faciend'.

Virtute, &c. Scire feci C. D. infrascriptis qd sit coram Justic infrascripte ad diem & locum infrascripte p J. S. & R. G. ad faciend' ea que istud breve in se exigit & requirit. Dalt. 280. Kitch. 269.

Aliter.

Scire feci eidem J. S. essendi coram, &c. ostens in forma pdice p R. F. & C. G. &c. Li. Intr. 217. Dalt. 280.

Ad ostendend' put istud breve in se exigit & requirit. Thes. Brev. 262.

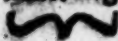
Simile quare Executon non. Id. 279.

Ad ostendend' ulterius ad faciend' & recipiend'. Kitch. Lat. 269.

Versus

Aliter

Ranc. Reg.



Retorn' Testat' Scire fac' in B. R. Epo' Dunelm'
direct' pro Adm' de bonis non Administ' de
Supervivon' quer' vers' hered' & terr' tenen'.

Wirtute istius hzebis mihi dicere & hanc
Schedul' annex' mandabi **C. D.** Die
Com' Dunelm' qui quidem Die Dunelm' mi-
hi respondit qd' ipse virtute pcepte mei sibi di-
rent' p **C. B. & C. C.** ppos & legales hoies in
balliva sua Scire fec' **H. H.** Ar Conlang' &
hered' **H. H.** Mi in dco hzebi noiae ac tenen'
Manerij de **A.** cum ptiid ac 100 Messuag' 100
Acr Terre 100 Acr Prati 100 Acr Pastur &
100 Acr holci cum ptiid in **A. B. C.** Ec. in
dco Com' Dunelm' que fuer' Maner' Messuag'
Terr' & Cesita pdice **H. H.** in eodem hzebi
noiae in feodo simplici die mercurij pr' post
tres Sepe scd Cris' anno regni Dni Car' pri-
mi nup Regis Angl', Ec. 13 quo die Judic
in dco hzebi mentonae reddit' fuit vers' pfac'
H. H. p deho & dampn' in dco hzebi spec' qd'
sit coram dco Dno Rege nunc ad diem & locu'
in dco hzebi content' ad ostendend' put' istud
hzebe in se exigit & requirit Et ulterius idd'
Die **D.** mihi certificabit qd' non sunt aliqui
alij neq' plur' tenen' nec aliquis at Tenens
est aliquaq' terraq' vel tenitoq' que fuer' pdice
H. H. die redditonis Judic' in dco hzebi men-
tonae seu unqnd' postea in feodo simplici in
balliva sua quibus seu cui Scire fac' potuit
put' eadem Die p me pceptum fuit, Ec. Vide
Offic. Brev. 290.

Simile Ep'o Dunelm' vers' Admin' & Terr'
tenen' ad ostend' quare Executo' non. Thes.
Brev. 279.

Aliter

Aliter Scire feci secund. Dalt. 279. ad respondend.

Virtute, &c. Scire feci infrañioae J. S. & J. D. qđ sine coram Justic. Dñi Regis infraſcripſe ad diem & locum infracontene ad respond. R. D. infrañioae. Dalt. 279. Kirch. 268. b.

Aliter ad audiend' Record'.

Virtute, &c. Scire feci C. A. & C. Ur' ejus infraſcripſe (p J. B. & C. D.) qđ sint coram Dñō Rege ad diem infraſcripſe ubicunq; &c. ad audiend' Record' & Process' unde istud bzebe facit mentionem Et ulterius ad faciend' & recipiend' omnia & singla) put istud bzebe exigit. Dalt. 279. Kirch. Lat. 268. b.

Aliter ad faciend.

Virtute, &c. Scir feci C. D. infrañioae qđ sit coram Justic infraſcripſe ad diem & locū infracontene p J. S. & R. G. ad faciend' ea que istud bzebe in se exigit & requirit. Dalt. 280. Kirch. 269.

Aliter.

Scire feci eidem J. S. essendi coram, &c. ostens in forma pdicc p R. F. & C. G. &c. Li. Intr. 217. Dalt. 280.

Ad ostendend' put istud bzebe in se exigit & requirit. Thes. Brev. 263.

Simile quare Executio non. Id. 279.

Ad ostendend' ulterius ad faciend' & recipiend'. Kirch. Lat. 269.

Versus

Versus Executor, &c. Et null' Retorn.

Nulli sunt Executori de C. infrascriptae neque
Adm' honor' & catallor' que fuer' ejusdem
C. nec heres neque Tenens terrar' & tenitor'
que sua fuer' in balliva mea quibus aliquo
modo Scire facere possum, this is good Secund'
Dalt. 280.

Aliter Scire feci Adm' & Exec' secund'
eund' 280.

Virtute, &c. Scire feci W. B. Adm' me
Exec' honor' & catall' que fuer' C. P. infra-
nominat' p' W. G. & G. R. p'bos & legales
homines de balliva mea essendi coram D^{no}
Rege (vel Justic) ad diem infracontene neque
sunt plures Adm' aliquor' honor' & catall'
que fuer' ejusdem C. P. in balliva mea qui-
bus aut cui ad plens Scire facere poss^o.
Kitch. 269.

Ad ostend' si quid, &c. quare Execution' non.

Idem Kitch. ibid. Ostensur' siquid p' se habeat
vel dice' sciat quare infrascripte W. P. & A. C.
Execution' p' debito & dampn' vers' plac' J. C.
habere non debent put' istud breve in se exigit
& requirit.

Retorn' de Scire facias versus Terre Tenentes.

¶. Infranoninat' J. M. nullum habet he-
redem infra ballivam meam cui Scire fac
possum sed virtute istius brevis mihi directi
Scire feci C. C. vid' nup' uxori C. C. Ali de-
funct' & C. C. Ali Tenens Terrar' & Tenemen-
torum

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quorum que fuerunt p̄dicit f. 99. p. C. 3. & 4. B. p̄bos & legales homines de eadem balliva mea q̄b sine coram Dño Rege infraſcrip̄e ad diem & locum infracontene put p̄ illud h̄be mihi p̄ceptum fuit.

R. P. Ar. Vic.

Offic. Brev. 204.

Aliter ad informand' Dom' Regem & Conſilium ſuum.

¶ Virtute h̄ebis illius mihi direct 12 die Apr̄i anno regni dñi Dñd Regis 20 ſup̄radice p. J. B. Gen & C. W. Gen p̄bos & legales homines de balliva mea Scirs ſeci eiſdem C. P. & 99. eſſend h̄ic modo ad hunc diem ad informand' dñm Dñd Reg' & Conſiliū ſud put h̄be p̄dicit in ſe exigit & requirit & put p̄ h̄be illud mihi p̄ceptum fuit. Dalt. 280.

Note, That when the Sheriff upon the Scire facias warneth one to appear, &c. that properly is called Garnishment.

And if the Sheriff ſhall retorn Garnishment, where no Garnishment was made, he is puniſhable. *Dalt. Abridg.* 180. b.

Alſo, that Garnishment of the Defendant muſt be by, or in the preſence of two others, and muſt be ſo retorn'd together with the Names of the Garniſhers, to be ſet down in the Retorn, *ut ſupra.*

Alſo in the Retorn of the Garnishment by C. D. and E. F. theſe words, p̄bos & legales homines, ſeem to be material, or elſe the Garniſhers may be attainted or outlawed, &c.

The Sheriff retorneth *Scire feci Hered' & Terrenen'*, without naming their Names, 'tis not good.

In

Reg. Reg. In a *Scire facias* J. B. Mag. Pro Collegio, &c. the Retorn was *Scire facias* without naming him 'tis void.

In a *Scire facias* to execute a Judgment of Fine, the Sheriff must retorn the Names of the Summoners and Veyors.

Tarde.

In a *Scire facias*, the Sheriff may retorn *habe Tarde venit, &c.*

In a *Scire facias* against two, the Sheriff retorned *Scire feci* the two, *modo & forma put istud habe exigit, &c.* and it was holden good, tho' he retorn'd not severally *Scire feci*.

Mortuus.

In a *Scire facias* it is a good retorn, that the Parties are dead.

So in a *Scire facias* to have retorn of Cattel, it is a good retorn that the Cattel are dead.

Divorce.

But in a *Scire facias* against Husband and Wife, it is no good retorn that they are divorced.

Parson.

Again a Parson, it is a good retorn, that the Parson had resigned his Benefice before the Writ came to him.

In a *Scire facias* against two, the Sheriff may not retorn that one of them was garnished, and that the other *Nil habet*, for tho' he hath nothing, yet the Sheriff might have garnished him by his Person. Yet see such retorn in *Greenw. 224.* with a *negus est inventus, &c.*

Virute hujus brevis mihi direx' p. C. & J. D. p. b. & legales homines de balliva mea Scire feci infranominat N. B. qd sit coram Justic inframentonae ad diem & locum interius content ad ostend, &c. put interius mihi p. c. Et ulterius certifico eisdem Justic qd alter Def. Nil habet in balliva mea p. quod ei Scire fac possit neq. est inventus in eadem.

R. S. Ar. Vic.

And

And so note, That in a *Scire facias* the Sheriff may garnish the Party by his Person, or upon his Lands or by his Goods, but it is made a *Quere* how? and it seemeth by Attachment of his Goods.

And therefore upon a *Nihil*, he must return further *nee est invent' in eadem*.

Upon a *Scire facias*, two *Nibils* amount to a *Scire feci*, &c.

See for these things *Dalt. chap. 75. fo. 279, 280, &c. Dalt. Abridg. 179, 180, &c.*

Scire facias ad audiend' Errores Et Retorn' Inde que le Plaint' est mort intestate, &c.

ff. Infrascripte R. D. ante adventu huius brevis mihi fecit (tali die & anno) apud S. C. in Com' meo obijt intestat Administratoz omnium singulorum bonorum & Catallorum Jur' & Creditor que fuer' infrascripte J. postea scit (tali die & anno) apud S. C. p'dict' S. D. vis & felice p'dict' J. p' G. providencia divina Cantuar Archiep' commissa fuit.

Thef. Brev. 229.

Retorn' Scire fac' pur Adm' sur ceo. ibidem.

ff. Infranominat S. D. Nihil habet in balliva mea p' quod et Scire facere possam. Simile idem 233.

Retorn' sur Scire fac' ad audiend' Errores sur Err' tam in reddi' cone' Judicij qm' in adjudication' Execution'.

ff. Virtute istius brevis mihi direct' per ff. B. & J. D. probos & legales homines de balliva

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liba mea Scire feci infranominat A. M. qd sit coram Dno Rege ad diem & locum infrascripte ubicunque, et audiens Retorn & pcessu necnon adjudicatione Executo unde istud habe fac menton Et ulterius ad factend & recipient omnia & singula prout istud habe exigit & requirit. Thes. Brev. 231.

Retorn^s Scire facis quare restitution^s habere non debet puis Judgment revers^s e Com^s Banc^s.

¶ Virtute istius habis nobis direa^s p A. M. C. ppos & legales homines in halli ba nostra Scire fecimus infranominat A. M. qd sit coram Dno Rege ad diem & locum infrascripte ad ostend si quid pro se habent vel dicere sciat quare infranominat A. C. restitutionem de debito & dampno infrascripte verum habere non debeat put interius nobis scriptur. Id. 232.

Sci^s Fi^s Inquir^s.

¶ Retorn^s p Inquisitionem nulla bona Interrogis sed devastaver Et nihil habent. Thes. Brev. 238. Les Sheriffes sont discharge & auters admit Et al Inquisicio Retorn^s qd vendider^s devastaver^s & elongaver^s. Id. 238.

¶ Sur Scire facias vers^s Heir & Certent^s Retorn^s qd nulli sunt Tened, &c. Testatum Scire fac^s Dic^s Nothumbr^s Scire fac^s Certed de Terres & dimes nul auters, &c. Thes. Brev. 283.

¶ Sit

Scire pur Exec Et Scire fac Retorn' Ter. Banc. Reg.
 tenen' Centoz. molend & Terr' Et nul auters
 Terres ou Tenement. Id. 288. 296.

The like Retorn in Brev. Judic. 258.

Retorn Null' Tenen, &c.

N. Justic infrascripte ad diem & locum in-
 fracontene certifico qd non sunt aliqui Tenen-
 tes, nec aliquis tenens aliqua terra &
 tenoz que fuer infrañoiac J. B. in Crā
 Crā anno regni Dñd nostre Eliz' 30 infra-
 spec quo die Judic inframentonac reddit
 fuit vel unqm postea in balliva mea quibus
 vel cui Scire facere potui put interius mihi
 p̄cipitur, Brev. Judic. 275.

J. B. Ar. Vic.

Testat. inde & Retorn' inde Scire feci. Ibid.

N. Virtute istius brevis mihi direct (tali
 die) per W. C. & C. C. p̄bos & legales ho-
 mines de balliva mea Scire feci J. W. Ce-
 ned Manerij de R. cum pertin quod in-
 frañoiac W. D. infrascripte tempore Judicii
 infrasp̄c ac postea qd sit coram Justic infra-
 scribe ad diem & locum infracontene ad osten-
 dend put mihi p̄cipit.

J. H. Ar. Vic.

Scire fec. secund. Greenw. 228. for release
 of Prisoners.

Virtute istius brevis p C. D. & C. F. p̄bo-
 bos & legales homines de balliva mea Scire
 feci infrañoiac J. B. J. L. et. qd sint coram
 dño Dño Rege ad diem & locum infracontene
 ad ostend, &c. quare, &c.

C c

Nichil

Nichil to a Scire fac' against the Heir and Tenants, secund. eund. ibid.

Infranominat G. S. Nichil habet in balliva mea per quod ei Scire facere possum neq; ei invene in eadem neq; sunt ulli Tenentes sive ullus Tenens aliquarum terrarū sive tenentorū que fuer infranominat W. sup diem infrascripte Iudicii infra redditū vel unquid poſtea in balliva mea quibus Scire facere potui put h̄ve illud exigit.

J. G. Ar. Vic.

Aliter vers. Heir & Tertenen', and notice given, secund' eund', 238.

¶ Virtute istius h̄vebis mihi directē p W. G. & C. D. probos & legales homines de balliva mea Scire feci R. W. fil & Hered R. W. infranominat defuncte & W. R. & J. D. Sed Tertenen' diversorū terrarū & tenentorū in balliva mea unde p W. R. pater tempore vite sue fuit sele in vineā suo ut de feodo in Crast' omni Alia infrascripte qd sint coram Iudice interius menkonat ad diem & locum infrascripte ad ostendendū, &c. put interius p̄cipitur.

Seisin.

Vide ante Habere fac. possessionem & Habere fac. Seisinam.

¶ Virtute istius h̄vebis mihi direct' 10 die Novemb anno infrascripte Habere feci p̄sent R. P. plenar Seisinā de & in tenement infrascripte

Scriptum cum p[ri]mo put interius mihi p[re]cipitur. Banc. Reg.
Offic. Brev. 114. Id. 199. Wilk. Lat. 134. Dalt.
182. Kitch. 271.

Aliter secund. Thes. Brev. 105.

Ad quem diem veni p[re]dicte J. in p[ro]p[ri]o p[ro]f[un]do
luna Et die videlicet J. C. modo mand[atum] q[uo]d
ipse Virtute h[ab]ebis p[re]dict sibi directe 20 die
Julij ule p[re]terit habere sec[undum] plac[itu]m J. plenar[um]
Seissin de Manerio tenementis & libera
piscaria p[re]dicte cum p[ri]mo nechon de Abbea-
lon p[re]dicte put p[er] h[ab]ere illud sibi p[re]cept[um]
fuit, &c.

Retorn h[ab]ebis de Seissina infra Libertate.
Vide Brev. Judic. 262. Qui quidem Senllus
mihi sic respondit q[uo]d ipse virtute h[ab]ebis ill[ud]
2 die M. anno, &c. supradicto habere sec[undum] in-
frascripta J. plenar[um] Seissinam de Cesitis
infrascripte juxta formam & effectum ejusdem b[re]vis.

Resciture.

Virtute, &c. tali die & anno Messugia sive
tenita infrascripte Rescisi feci & G. C. infra-
scioae in plenar[um] possessione eorundem Messuag[ia]
sive tenitorum cum p[ri]mo juxta vim formam
& effectum Statute infra spec[ies] poni feci p[ro]ut
interius mihi p[re]cipit. Kitch. 268.

Summons, Assize, Retorn inde.

Virtute istius p[re]cepti mihi directi venire
feci coram Justiciariis infrascriptis ad diem & locum
infrascriptum omnia h[ab]ebia Assisatum Jurat[um]
terrificaton[em] in Com[itatu] J. infrascripte coram quib[us]
C c 2

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hiscunq; Justic tam per diversa brevia De
mine Gulielm tertiij nup Regis Anglie qnd
p diversa bria Dnd Regine nunc una cum
Pannellis Attach Re-attachamentis Sum
mon Re-summon & omnibus alijs admini
cul assisa Jurac & certificaton ill' qual
tercuq; tangend Venire feci etiam coram pre
lat Justiciar ad Gaolam dic' Dom Regis
Castri sui Winton de Prisonariis in ea ex
istend deliberand assignac ad pfac diem om
nes Prisonarios in Gaola p'dic' existend una
cum eornd Attachiamene Re-attachiamene &
omnibus alijs adminiculis Prison illos qua
litercuq; tangend Et de viciner cujussibet
ville & loci ubi felon unde iidem Prisonari
india' appellt sive arrestac existunt face fieri
tam infra Libertates quam extra 24 p'bos &
legales homines quibus rei veritas melius
sciri poterit & inquiri & qui Prisonar ill'
null' affinitac attingunt una cum quatuor
hominibus p'posse ville & loci eorum ad
faciend ea que tunc ibidem eis ex parte Dnd
Regis nunc injungunt publice etiam Pro
clam feci p totam ballivam meam quod om
nes illi qui sequi voluerint vers Prison il
los quod tunc sint ibi vers eos (p'out justis
fuerit) p'psecue Scire feci etiam omnibus
Justic pacis Coronator Beneschallis Domini
& magnae & ballivis Libertac & hundred
Com p'dice qd tunc sint ibidem cum rotulis
recozd indictamene & alijs memorand suis
ad faciend ea que ad officia sua p'tind put in
terius mihi p'cepisse Resis executiond istius
p'cepti patet in quibusdam Schedulis huic
p'cepto annex'.

A. B. Ar. Vic'.

Da't. 195. Wilk. Lat. 115. Kitch. 272.

Then

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Then follows the Panels of 24 of every Hundred, of the same County to be retorn'd to the said Precept; then the Retorn of a Precept for the Gaol Delivery, and then a Kalendar of the Justices Names, &c. for which see after. In the mean time it is noted,

That now the Assize Precept is generally retorn'd shortly thus : viz.

Executio istius Precepti patet in quibusdam Schedulis huic Precepto annex.

A. D. Ar. Vic.

And then ingross the Names of the Justices of the Peace and Coroners in one Schedule, the Names of the Bailiffs of Liberties, the Names of the Mayors, Bailiffs and Chief Officers of every Corporation, in another Schedule.

The Names of the Chief Constables, and Bailiffs of Hundreds in another.

The Kalendar of the Prisoners Names in another.

And the Grand Jury and Jury between the Prisoners written fair in Paper, until they be Sworn.

And then your Assize Process being all retorn'd, every Writ according to its nature, and Execution thereupon done, annex them all to the Precept, and so deliver them to your High Sheriff, who is to deliver them to the Judge in Court, when he is there to call them.

Memorandum, When the Jurors are Sworn, you are to ingross their Names in Parchment Pannels, to be delivered to the Clerk of the Assize, to be annexed to the Precept.

And the Warrants which the Sheriff must make by virtue of this Precept, for the summoning of the Assizes to the Bailiffs of Liber-

Banc. Reg. ties, and Bailiffs of Hundreds must contain in them the whole substance of this Precept, but whether it be in Latin or English, it is not material, so that it be in due Form: and it is needful, that the Sheriff keep for himself a particular Note of the Names of such Persons as he nominateth in his Warrant, to be summoned to serve in the Grand Jury, and not to leave it to the discretion of Bailiffs to put in, and out whom they list in that Service.

Then the Sheriff must set down the Names, and Dwelling places of such as he will have warned to serve in the Grand Jury in particular, and keep a note of them, that he may be able to shew to the Court, if need shall require, who he had determined to have returned for that Service if they had come; and if the fault happen to be in the Bailiff, then he shall be punished, and the Sheriff excused. *Dalt. 196. Wilk. Lat. 117.*

The Return of the Precept for the Gaol Delivery, *secund. Dalt. 196.* which follows the Affize Precept.

Executio istius Precepti patet in diversis Pañellis eidem Precepto continuis. Et ulterius Proclamari feci p totam balliam meam qd omnes illi qui prosequi voluerint versus aliquos vel aliquem de ullo infracontene p Dno Rege aut pro seips qd tunc sint ibidem cum billis suis in forma Juris psecutur, &c. Li. Intr. 443.

Then he adds also a Kalendar of the Names of the Justices of Peace, Coroners, Stewards, Bailiffs of Liberties and Hundreds, and Prisoners (which are in the Gaol, or which are bailed by the Justices after they were committed, &c.) which

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which must be delivered by the Sheriff to the Justices of Gaol Delivery, the form whereof is as follows. Banc. Reg.

Kalendarium secund. Dalt. 370.

Cantabr N. Kalendarid de noibus Justie Pacis Dnd Regis coram Benescalc Balliborum Libertae & Hundreth in Com pdice Summon ad essent ad Assis apud C. in Com pdice die Lune in secunda Septe Quadragesima anno regni Dnd nostri Jac Dei gra, &c. Fidei Defend, &c. ac de noibus Prisonar in Gaolis pdice existent.

Nomina Justie Pacis.

A. B. Miles & Baronettus C. D. Mil C. F. Mr, &c.

Nomina Coronator.

G. H. J. K, &c.

Nomina Beneschal & Ballibord Libertae.

I. M. N. O. P. Q, &c.

Or here you may add (as he observes) and shew specially who is Steward or Bailiff of every Liberty, or Franchise as followeth.

A. B. Benesch de Libertae de C.

C. D. Ballibus de Libertae de F.

Et sic de ceteris.

Nomina Balliborum Hundreth.

R. E. C. D. A. C. B. D. &c.

Or thus :

R. S. Ballibus Hundre de R.

C. D. Ballibus Hundre de C.

Et sic de alijs Ballibis aliorum Hundreth.

Nomina Prisonar in Gaola C. existent.

J. S. reppis.

J. N. cape apud S. p suspect' felonie,
Kitch. 273. And so of rest.

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Also they must shew by what Justice of Peace the Prisoner was committed, and for what Cause.

Also what Prisoners have been bailed by the Justices of Peace, after they were committed, and by what Justice they were bailed. *Dalt. ut supra.*

It is observed in *Dalt.* 369. That the Judges of Circuits have now five Commissions by which they sit.

1. A Commission of Oyer and Term' directed to them, and to many other of the best Account in the Circuit: But here the Judges are of the *Quorum*; and this is the largest Commission, giving them power to deal with Treasons, Murthers, and all manner of Felonies and Misdemeanors.

2. A Commission of Gaol-delivery; and this is to the Judges only, and hereby they are to deal with every Prisoner in the Gaol, for all Offences whatsoever.

These two Commissions are directed only to the Judges.

3. A Commission to take Assizes.

4. A Commission to take *Nisi prius*, for the speedy Tryal of Records. And also to Try Issues joyn'd at *Westminster* for ease of the Country.

5. A Commission of the Peace in every County in their Circuit, where all the Justices of the Peace are to attend the Judges.

Retorn of a Summon of the Sessions of Peace.

Virtute istius hzevis mihi directi venice feci coram Justiciar infrascripte apud Castru Winton infrascripta die anno & loco infrascripto content omnes Constabularios & Ballivos Hundred infra Comitatu specif. necnon de quolibet dice libertatu & hundred vigine quatuor Jurator

Juratori ad faciendū ea que eis ex parte Dñi Regis adtunc & ibidem injunguntur ac etia Scire feci omnibus Constabulariis & Ballivis Hundredi Comitatus infrascripte quod tunc sint ibi habentes secum omnia nomina Artificum Laborar & Serbiene Husband' infra Hundredū pdict' vad contra formam Statute inde excessive capiendū ac insuper sufficiens Proclam feci infra Ballivam meam quod omnes ill' quitam pro Dño Rege quam pro seipsis versus hujusmodi Artifices Laborar & Serbien' aliquas querelas juxta formam Statuti ordinationis pdictę conqueri vel prosequi voluerint qđ tunc sint ibi bill suas pđ justiciamq; ibidem subitue & sibi viderint expediri put interius mihi p̄cipitur.

A. B. Ar. Vic.

Dalt. 198. Kitch. 272. Wilk. Lat. 117.

Sometimes the Retorn of the Summons for the Sessions of Peace is made briefly thus:

Executo istius Brevis patet in quibusdā Pannell huic brevi consut vel annex'.

A. B. Ar. Vic'.

Vide Dalt. 198. Wilk. Lat. 118.

Observations from *Dalt. Abridg.* 122, &c. concerning the former Summons of Assize.

Upon this Precept (from the Judges of Assize and Gaol-delivery) the Sheriff must make his Warrant, and thereby command every Bailiff of every Liberty and Hundred,

1. To warn 24 Jurors of their Liberty or Hundred, all which several Pannels must be annexed to the Retorn of the Precept.

2. To

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2. To warn for the great Inquest, such whose names the Sheriff nominateth in the said Warrant.

3. To warn the Jury of Life and Death, such as the Sheriff or Bailiff shall think meet, within their Hundred.

4. To proclaim within every Hundred the day and place of Assizes, and that all Persons that have any thing against any Prisoner be there to Prosecute.

5. To give special warning to Justices of Peace and Coroners, &c. within their Hundred to be there present.

6. To Arrest, &c. all Persons formerly Endited, &c. to appear there.

7. And by his said Warrant the Sheriff must also command every Bayliff to be, and attend there themselves.

Or else to the back of this Warrant, the Sheriff may File a Schedule, setting down therein the names of such as shall be warned for the great Enquest, and for the Jury of Life and Death, and such other Persons as are to be warned thither, &c.

The form of the Warrant for summoning the Assizes.

A. B. Mil Die Com p'dice Ballivo Libertatis de C. (or Ballivo Hundred de A.) salutem Virtute ejusdem p'cepti mihi directi tibi mando Quod Venire fac coram J. L. Mil' & Bar & J. D. Mil', &c. Justiciariis Assis in Com p'dict ad Assis apud Castrum C. in Com p'dict 10 die Augusti pr' tenens (or thus die Lune existen' 20 die M. pr' futuri) omnia brevia, &c. necnon legal' person' subscript ad faciend
ca

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ea que tunc & ibide ex parte Dnd Regis etis Banci Reg.
 injungentur publice etiam Proclamari faci.
 p totam ballibam tuam qd omnes illi
 qui legui voluerint versus Prisonar in Gaol
 (Dnd Regis) Comie pdice qd tunc sint ibi
 versus eos pponit iustum fuerit prosecuti
 Scire facias etiam omnibus Justic Pacis
 Coronator Beneschaf Dominoꝝ & Magnae
 Elcheatoꝝ Ballibis Libertar & omnibus
 capitul Constabular infra Hundzed tuum qd
 tunc sint ibi cum Rotulis Recordis Indicta-
 mentis & aliis Memorand suis ad fac ea
 que ad sepalia Officia sua ptinent Et qd tu-
 ipse sis ad tunc ibide ad faciend omnia que ad
 Officium tuum ptinent Et habeas ibi nomi-
 na pdice Justic Coronator Beneschaf Elche-
 ator Balliboꝝ Libertar Pecnon Capital
 Constabular unacum hoc pcepto sub piclo in-
 cumbente Dac sub sigillo Officij mei (tali die
 & anno, &c.)

A. B. Mil. Vic'.

Dalt. 196. Wilk. Lat. 116.

Aliter upon the Gaol Delivery.

A. B. Mil. Vic, &c. Ballibo Hundzed de
 B. saltem Ex parte Dnd Regis tibi mando
 qd per totam Ballibam tuam publice Pro-
 clamari facias delibac Gaole Dnd Regis
 Castle Cane essent coram J. T. Mil, &c. & so-
 ciis suis Justic Dnd Regis ad Assis, &c. a-
 pud Castrum C. die Lune, &c. Et qd omnes
 illi conquei volentes versus aliquos Priso-
 nar infra Gaolam pdice ad locum pdice ac
 24 phos & legales homines Hundzed pdice de
 vicin in quibus aliqui Prisonar indictae ar-
 restae vel appellae existunt unacum quatuor
 hoibus & propositis cujuslibet Wille & loci in
 quibus

Banc. Reg.

quibus Prisonar p̄dice capē fuer qd tunc sint
ibidem parat ad audiend & faciend, &c. Et
h̄as ibi nomina Jur p̄dice Et hoc p̄ceptum.
Dalt. &c.

And upon occasion may be inserted as follows.

Tibi etiam mando qd capias *E. C. de J.*
(or has personas subscribe) ita qd Corpus
ejus (or Corpora eorū) habeas coram Justie
p̄dice ad diem & locum p̄dice ad respondend
dō Dnō Regi de quibusdam trans & Con-
tempe unde indicat existit (or indicati exi-
stunt) Et hoc, &c.

Tibi etiam mando qd Denire fac has per-
sonas in Schedul hujus Warrant annex' no-
minatas ita qd sint ad diem & locum p̄dice ad
faciend ea que eis adtunc & ibidem injungen-
tur. Dalt. 196, 197, 198. where you may see
the form of Warrants by *non inventus*, &c. for
summoning of a special Sessions, &c.

And note, that if the Sheriff shall retorn any
Jurors as aforesaid, without summoning or
warning them by his Bayliff, he is therefore
Fineable.

A Sheriff's Warrant to Summon a Jury upon a
Writ of Enquiry of forcible Entry.

ff. N. F. Sheriff of the said County, To *A.*
B. C. D. his Bayliffs, joyntly and severally
Greeting. These are to command you, and e-
very of you, that immediatly upon sight here-
of, you Summon and warn all the several
Persons whose names are here under written,
so that they and every of them appear before
W. B. Esq; and *S. B.* two of her Majesties Justi-
ces assigned to keep the Publick Peace in the
County

The New Retorna Brevium.

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Banc. Reg.

County aforesaid, upon Thursday the Three and twentieth Day of *July* next ensuing, at the Mansion House of *J. N.* called the *Swan* in *H.* there at one of the Clock in the Afternoon of the same Day, to enquire upon their Oaths for her said Majesty, of a certain Entry by a strong Hand made in one Messuage, one Barn, one Garden, one Orchard, and eight Acres of Land with the Appurtenances in *H.* aforesaid, against the Statute in that case made and provided (as is said) every Man upon pain of twenty Shillings, hereof fail not at your peril. Given under the Seal of my Office, &c.

A. B. Ar. Vic'.

A. B. de C.

C. J. de C.

H. J. de C.

Executio istius precepti patet in quodam pannello huic precepto annex.

A. B. Ar. Vic'.

Kanc'.

The panell' annexed to the Precept.

Hanc s. Nomina Jur ad inquirend pro Dño Rege in premissis in precepto huic Pannello annex' mentonac.

B. H. de F.

A. H. de R.

Quilibet Jur pdice seperatin per se H. est per

Johem Doo.

Ricum Roo.

Exie eot cujussibet 20 s.

A. B. Ar. Vic'.

Retorn

 Retorn of the Justices Precept to the Sheriff
to Summon a Jury upon a Writ of Enquiry
of forcible Entry.

N. Ego C. B. At Die Com̄ p̄dicte W.
B. & S. B. At Justic Dñs Regis ad pacem
in Com̄ p̄dicte conservandū Assignd certifico qd
Virtute p̄cepti p̄ vos mihi in hac parte di-
recte Venire feci coram vobis apud H. in Com̄
p̄dicte die Jovis vicesimo tercio die Julij
pr̄ futur̄ ad domum Manonalem J. R.
vocat le Swan apud H. ibidē hora prima post
meridiem ejusdem diei viginti & quatuor suf-
ficiēte & legales hominū de vicineto de H. in
Com̄ p̄dicte Quorū quilibet habet quadraginta
solidis terrarū & tenementorū p̄ annū ad minus ul-
tra rep̄is ad inquirendū super Sac̄m̄ suū
p̄ dñō Dño Rege de quodam ingressu manu
forti facto in unum Messuagium unum Por-
reum unū Pomarū & octo actas terr̄ cum per-
tinentiis apud H. p̄dicte contra formam Statute in
hujusm̄ casu edicte & p̄bis ut dicitur Quodq̄
sup̄ quemlibet Jur̄ in hac parte Impannel-
lat viginti solidis de exitibz ad p̄f̄ac̄ diem retor-
nabi put̄ p̄ceptum best̄m̄ in se exigit & re-
quirit Quorū Jurator nomina infra legun-
tur dāc̄ sub sigillo Officij mei quine die Junij
anno decimo sexto Car̄ Regis secundū.

A. B. Vic̄.

The

The Panell' of the Jury.

**Nomina Jur de quibus supra fit men-
to.**

**H. B. de C.
C. F. de G.
D. J. de H.
L. M. de N.
O. P. de Q.
R. S. de T.
E. W. de X, &c.**

Exie eor cujussibet ——— **20 s.**
A. B. Ar. Vic'.

It is observed in *Dalt.* 372. That if the Sheriff (or any other person of the County) do not attend upon the Justice or Justices of Peace, to go and assist him or them, to arrest such as shall make any forcible Entries into any Houses, Lands or other Possessions, or any forcible detainer thereof, he or they so offending shall be imprisoned, and pay a Fine to the King. 15 R. 2. chap. 2. 13 H. 4. chap. 7. p. Force 5.

**Aliter Retorn. secund. Dalt. 307. to enquire
of a Riot or forcible Entry.**

**Virtute istius precepti mihi direct' Venire
fac coram Justic' infrascripte ad diem & lo-
cum infracontene 24 p'bos sufficientes & le-
gales homines de Balliva mea p'ut interius
mihi precipitur.**

**Residuum executionis istius precepti patet in
quadam Schedul' huic Warranc annex'.**

A. B. Ar. Vic'.

Nomina

The New Retorna Brevium.

Domina Jur ad inquirend p Dno Regi
de quibusda illicitis aggregationibus & Ri-
otis, &c. apud Commission Summō ad eand
Cozam Justie Dni Regis apud I. in Com
pdiat 23 die April anno domi (Et.) secund
Erigene cujusdam Warrane hult Achedu
anner.

And then underneath are written down the
 names of the 24 thus:

T. B. de I.

A. B. de eadem.

J. D. de D.

And of the rest.

Exle eoz4 cujuslibet

A. B. Ar. Vic

Dalton 307, &c

As to the Retorns of other Writs of Summons.
 It is to be observed, That in every Original
 Writ, where Summons lieth, the Sheriff must
 first summon, or warn the Tenant or Defen-
 dant to appear and answer, &c. and this must
 be done in the presence of two Summoners,
 &c. who ought by Law to be **boni liberi &**
legales homines, and Neighbours as it seem-
 eth. *Vide Dalt. 149.*

The Summons being made, the Sheriff must
 retorn the Writ, *viz.* If the Defendane be suf-
 ficient: First, He must retorn two Common
 Pledges for the Plaintiff, and then the same
 of the Summoners as followeth.

Respons.

A. B. Ar. Vic. Com. infra script

Pleg' de Proa

Sumonitores infra script

J. D. (the Def.)

J. B.

And

The New Retorna Brevium.

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And the like return may be made in all Bang Reg.
 Actions Real, if the Tenant or Defendant be
 sufficient.

But if the Tenant or Defendant be insuffi-
 cient, then the Return is usually thus.

Responsio A. B. Vic. Com'. infra script'.

Pleg de pd { A. B. C. D. E. F. G. H. I. J. K. L. M. N. O. P. Q. R. S. T. U. V. W. X. Y. Z. }

**Infrascriptus J. S. Nihil habet in Bal-
 liba mea per quod (or unde) Summonit potest.**
 Dalt. 194.

And there it is made a Quere, That if the
 Tenant have no Land whereupon he may be
 summoned, whether *Nihil* be a good Return,
 except he sayeth further, *neq. est inventus, &c.*
 for that the Defendant may be summoned by
 his Person, but then the word Summon is usu-
 ally changed to Attachiamment, as in personal
 Actions, *viz.*

Infrascriptus J. S. the Def. { A. B. C. D. E. F. G. H. I. J. K. L. M. N. O. P. Q. R. S. T. U. V. W. X. Y. Z. }
Attachiatus est p Pleg.

Or if the Sheriff cannot find the Party
 then thus.

**Infrascriptus J. S. Attachiatus est per und
 Daccam, &c. p. 20 s.** but if this word *At-
 tachita?* be wanting in any Return where the
 Party is attached, it is no good Return.

But if the Sheriff has no mind to make Exe-
 cution of the Writ, then he usually Returns
 it thus.

D d

Respon-

The New Retorna Brevium.

Responsio A. B. Vic. Com. infrascript.

Infrascript J. S. non invenit mihi pleg
pro.

And this may better be done when the Writ has this Clause in it, viz. si A. B. fecerit te securi de Clam suo pleguend, &c. for there the Plaintiff ought to find Pledges.

On else he may Return Tarde thus:—**Sub**
habe mihi delibac fuit (or mihi venit) adu
Tarde qd ppter hrebitatem temporis illud
exequi non potui.

And it seemeth that the Sheriff may Return Tarde in every Writ, except in an Attachment, and in a Capias. But he must take care that these two later Retorns be true, otherwise he is punishable for his false Return.

In Hue and Cry.

Pleg de pā } J. D.
} R. R.

Summō infrascript homines inhabitat
in hundred de C. in W. in Com infrascript.

E. H. Ar. Vic.

Thes. Br. 142. Offic. Brev. 212.

The Sheriff Retorns, he was one of the Defendants, but could not Summon himself.

Note, In a *Præcipe qd reddat* against T. W. one of the Sheriffs of G. and two other, the Sheriff returned, That they could not Summon T. W. (one of the Sheriffs) which was sued, and the Return was after this manner.

Sum

The New Retorna Brevium.

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Banc, Reg

Sund infrascriptae C. W. J. D.
& J. H. H. f.

Et quoad **Sund infrascriptae C. W. Juste**
infrascripte certifico **idem C. & Ego C.**
W. jam un Dic Civie C. sumus un & idem
& non al' neq' dixerit Ideo ego prefat C. &
H. P. alter Dic Civie pdice meipm secundi
Exigenc istius brevis Sustinon non possum.

Respons' prad. T. W. H. H.

And this was adjudged a good Retorn, anno
 7 Eliz. Brownl. Rep. & vide Dalt. Offic. vic. last
 pub. 193, 194. And see before Tu. Distringas.
 See this also mentioned in Greenw. 232. Vide
 ante Distringas.

Retorn of a Summons in *Warrantia Carte*.

Pleg de pzo } **J. D.**
H. H.

Sund } **J. J.**
C. W.

Offic. Br. 358.

Retorn of a Summons of 4 Knights, to choose
 others in a Writ of Right directed to the
 Coroners.

Sund infranominat C. B. & W. B. J. D.
& H. P.

Executo istius brevis patet in quodam
Panello huic brevi annex'.

J. S. & E. D. Coronator'.

Vide postea.

D d 2

nomina

[illegible]

Retorn. Refum. in Ravishment de Gard ad
audiend' Retorn. & Judic'.

Virute istius spebis mihi deest. **De**
Aug anno regni Dⁿⁱ Regis Jac nunc Ang-
 lie, &c. 8 per J. B. & R. J. bonos Sum re-
 lum feri infranominat J. B. & R. J. & R. J. & R. J.
 coram Judic infrascripte ad diem & bonum
 infrascripte auditur, &c. put interius mihi
 precipitur, &c.

Return of a Summons in Waft.

Wielki de przód

Sum infraoiae { 7. 10.
7. 10. { 10. 10.

Et ulterius Ego A. B. M. Die Com in-
frascripte Justic Dnd Regis infranominat
certifico qd post Sum scilicet decimo die A.
anno infrascripte existit die Dominico imme-
diate post divinam Serbie in Ecclesia Pa-
rochial de B. infrascript nulla pdrat autem
ibidem existit apud Maxime ultra ostium
Eccle Parochial ill' infra quam quidem Pa-
rochia tenemene infrascript jacent & ex tunc
Proclam feci Sum pdrce secundum formam Sta-
tuti in hujusmodi Casa edificat

Dalt. 290. Offic. Br. 200. WILK. Lat. 124.

The New Return Brevium.

415

It is noted, That the first Summons must be made upon the Land wished, and after the Sheriff must proclaim the Summons at the Church door of the Parish where the House of Land lies; and then he must make his Return of all as above.

Also the Sheriff may Return Nihil in a Writ of Warr. *Dei. 292. vide postea Tit. Warr.*

Return of a Summons and Return simul against two of the Plaintiffs in Error.

Plaintiff illius hiebis nobis direct. p. N. B. C. D. p. legales continens de balliva nra Sum fecimus infrascript. J. J. Et. ad sequens simulcum infrascript. C. per hiebe illud in se exigit & requirit.

Respons' R.M. J. S. Vic'.

Sur Summons in hiebi de Recto ubi Die Retorn duos Mil' Et quia non sunt plue Retorn duos Armitg.

Alicr. Qd non sunt aliqui Mil' sed Sum quatuor Ar gladiis cinctos. Brev. Judic. 265.

Return Sum ad Warr'.

Plaintiff illius hiebis mihi direct. 6 die Sept anno regni Dni Eliz. 32. infrascripte existend die vinto ad maxime usual ostium Ecclesie Parochial' de M. infrascripte inmediate post ditamam servitium nulla p'dicatione in Ecclesia illa eodem die existend Proclam feri secunt formam Statuti inde nuper edic & probis qd infranominat C. sit coram Justie infrascripte ad diem & locum infraccontent ad Warr infranominat A. Tenementa infrascripte

Banc' Reg. scripe cum pñd put interius mibi scriptum.
 Brev. Judic. 273.

Retorn' Proclam' Sund per. 14 dies ante
Retorn' h'ebis de Sund. Id. 275. In Kirch
 257. It is noted, That the Defendant ought
 to be summoned 15 days before the Retorn.

Summons & Severance Exec' Retorn' inde sur
 Non omittas.

Sund infranominat 27. 28.
C. C. 10. 11.

Residuum Executonis istius h'ebis pater
in quadam Schedul' huic h'ebi annex.

W. S. Ar. Vic.

And then retorn a *Rescons* as to W. F. the
 Defendant.

Secunda Superoneratione.

By the Statute 13 Ed. 1. Upon a Writ de
secunda Superoneratione Pasture, The Sheriff in the
 presence of the Parties being summoned, if
 they will come, shall enquire of the second Sur-
 charge, which if it be found, it shall be retorn-
 ed before the Justices, Under the Seal of the
 Sheriff, and Seals of the Jurors. *Vide Dalt.*
 283.

And the Sheriff may remove or drive away
 from off the Ground the Cattel so surcharg-
 ing; and may seize them for the King as for-
 feit, and so keep or sell them, and answer the
 price.

Super-

3

Vide ante Ca' Sa' Et vide Kitch. 258, 264.
Et ante Tit. Exigent.

Trespass.

Return of an Original in Trespass where the Defendant is insufficient.

pleg de prob { 1. d.
2. e.
3. n. n.

Infranominat D. B. & C. D. Nihil habent in balliba mea p quod Attach (vel Distring) possunt. — Or potest if but one Defendant.

And if there be more than two, then thus.

Infranominae A. B. & ceteri Def. infra-
noiae Nihil habent in balliba mea per quod
Attach possunt. Vide Dalt. 285.

And it is observed, That *Nihil habet* is a good return in Trespass without saying, *neq. huius die quo, &c.*

If the Defendant be sufficient then the Return may be thus.

Pleg de proa { J. D.
E
R. H.

Or thus:—Infrañoiac { A. C.
D. B. Artachiac est p Pleg. { B. D.

Infrascripte D. B. Attachatus est per nos
hobem p[re]t[er]it, 20 s. for an Attachment may
be by Pledges or Goods. Vide ante Cap. alia &
Pluris. & vide Offic. Brev. 196.

Retorn of a Writ of Inquiry of Damages in
Trespas.

Exercto istius h[ab]ebis pater in quod In-
quisitione h[ab]ebis pater. an est iud
ff. Inquisito (¶ ut in al) qui dicunt super
Sacra ludo qd D. B. in d[omi]no. D[omi]no n[on]at
sustinuit dampna octone transi[er]it in eodem
h[ab]ebis ad 20 s. Et p[er] missa & custag[us] suis per
ipm[us] circa sextam suam in ea parte appo[si]t ad
8 d. In cuius rei Testimonium, &c. Vide
Wilk. Lat. 140.

Aliter, non imp[er]at m[er]itum
Inquisito, &c. Qui dicunt super Sacra ludo
Ad D. B. & A. Ur[us] ejus in d[omi]no h[ab]ebis n[on]at
sustinuit dampna octone transi[er]it in eodem h[ab]
bi spec[ie] ultra missa & custag[us] sua per iplos
circa sextam suam in hac parte appo[si]t ad
40 s. Et p[er] missa & Custag[us] ill[us] ad 40 s. &c.
In cuius rei Testimonium, &c.

Aliter in Cas[us]
Ad p[re]d[ic]te C. C. sustinuit dampna octone
p[re]missa p[re]d[ic]te ultra missa & Custag[us] sua per
ipm[us] circa sextam suam in hac parte appo[si]t
ad 65 l. Et p[ro] missa & Custag[us] ill[us] ad 40 s. &c.

Note,

Note. That in this Writ to inquire of Damages in Trespass, the Jury cannot find that no Trespass is done, neither may the Sheriff make such a Return.

But if the Jury will find no Damages, the Sheriff may make his Return, That the Jury found or gave no Damages. *Dalton 285. Abridg. 183.*

Tardo. Vide ante.

¶ Illud breve adeo Tarde mihi deliberare fuit Ita qd propter brevitatem temporis Executionem inde facere non potui prout interius mihi scripse. A. B. Ar. Vic.

Tarde super Breve Distring' Jur.

¶ Quoad Distring' A. B. & al' Jur infrascripte Illud breve adeo Tarde mihi deliberare fuit quod illud propter temporis brevitatem exequi non potui Hec Executionis istius brevis pater in quodam Panello huic brevi annex. A. B. Ar. Vic.

Alicor.

¶ Quoad Distring' infrascripte A. B. & al' terosq' Jur infrascripte Breve illud adeo tarde mihi deliberare fuit quod propter temporis brevitatem nullam inde Executionem facere potui sed quoad apponens decem tales unde infra sit mentio executio inde pater in quodam Panello huic brevi annex.

Nomina decem talium.

A. B. C. D. &c.

A. B. Ar. Vic.

Vastum

Vastum pone inde:

¶ Infranoninat & C. Ar. Attach. et.

Per. Pleg' { W. D.
 { R. B.

A. B. Ar. Vic.

Sum' in Vasto.

Pleg' de pros { R. B.
 { J. B.Sum { W. D.
 { R. B.

Vid. ante tit. Sumon.

A. B. Ar. Vic.

Venditioni exponas ubi pars Bonor' & Catal-
lor reman' invendit'.

¶ Virtute &c. exposui ad venditionem de
bonis & catallis infrascript ad valentiam
viginti librar quos quidem denar coram Dño
Rege infrascript ad diem & locum infracon-
tene parat habeo protur interius mihi scripit
Et resid bonor & catallor pdice adhuc rema-
nent in manibus meis indempie prodesse
emptor ita qd viginti & quinq libras ressi
de infrascript quadragint & quinq libe coram
Dño Rege infrascript ad diem & locum infra-
content' habere non possum secund exigen-
tius brevis. Offic. Brev. 227. Vide ante in
Canc' & Scaccario & Tit. Fieri fac. Kitch. 270.

Note, That upon a Venditioni exponas sue
Fieri fac. The Sheriff retorn'd. Qu cepit de
bonis

bonis le Def. certain Goods ad valenc, &c. Banc. Reg.
ad qd non invenit emptores, whereupon issu-
ed forth a Venditioni exponas, and the She-
riff returned qd bona non fuer capta per ipm
sed per quendam C. S. nuper die pdecello-
rem, &c. Ideo bona illa Venditioni exponere
non potuit, and this was held a good return,
and thereupon a Distringas nuper die was a-
warded, ita qd bona illa Venditioni exponat
& denat inde proveniend deliberari fec pfae
nunc die Qu ipse die denat hic coram Justie
habere possit, &c. Ad reddend pfae Quer de-
bitum & dampna sua, &c. Fitz. Process' 99.
Dale. 286.

Venditioni exposui nullos tamen Emp-
tores invenire potui sed bona & catalla illa
penes me adhuc remanent invendit p defco
emptorum. Vide Cliffe Ent. 860.

Venire facias Jur' Habeas corpus & Di-
string' Jar'.

Venire sec.
Def. & Ni-
hil inde.

ff. Infranominae R. N. & ceteri infra-
scribe Nichil habent in balliba mea per qd
Attach possunt. Offic. Brev. 408. Greenw. 224.

Aliter.

Virtute istius brevis mihi direct Venire
fec coram Dno Rege apud Westm ad diem
infracontene J. B. sicut interius mihi pre-
cipitur. Kitch. 265. b.

Pleg de pros { W. D.
J. S.

A. B. Ar. Vic'.

Aliter

The New Retorn Brevium

Aliter & Venire facias.

Writte illius J. B. Justic, &c. Venire facias
fratrolat J. B. coram, &c. ad diem infracon-
tente put interius inhi pscriptut.

Infrascripte J. B. Justic, &c. Venire facias
est per Pleg, &c.

Aliter.

Infrascripte J. B. Justic, &c. Venire facias
coram Justic infrascripte (sali hie, &c.) ad
certificand secund formam huius writis. Dal-
ton 286. Abridg. 183.

Pleg J. B.
J. B.

Upon such a *Venire facias*, if the Defendant
be sufficient, the Sheriff may Retorn him sum-
moned or attached. *Dals.*

Venire facias versus Parent.

N. Sund infranominat J. B. D.
N. Comie hanc per J. B.
A. B. A. Vic.
Offic. Brev. 210.

Retorn of a Writ of *Venire facias Clericum*.

Respond Johannis Epd J. infranominat.
Writte illius J. B. Justic infrascripte
certificamus ad diem & locum infracontene
qd C. C. infranominat Attach est per Pleg
J. B. & A. B. Et ulterius eisdem Justic cer-
tifica.

The New Retorn Brevium.

423

ificamus ad nullum aliud brevis de Venire hanc Reg-
lac Clitum veritas plac D. ppe istud brevis
nobis unquam deliberat fuit.

Venire facias Jur.

Exercito istius brevis patet in quodam
panella huius brevis annex.

A. B. Ar. Vic.

Domina Jur ine J. C. Quer & D. C. Def.
in Placito transgi. &c. (or Debi as the case is.)

Then Write down the Names of Twenty
four Jurors thus.

R. W. de C. Gen.

J. C. de W. Secund.

D. R. de W. Secund.

And so of the rest to the Number of 24.

Quilibet Jur p p se sepae Manu: J. D.
capt or rather (Attach) est p Pleg. &c.

A. B. Ar. Vic.

The Sheriff of necessity must Retorn 24
Juors of such as dwell within the Shire.

And he must Retorn their Names, and cer-
tain Additions in a Schedule or Panel.

And he must not Retorn *Venire fac*, &c. but
as above *Exercito istius brevis*, &c. He ought
not to Retorn the same Person which passed
in a former Inquest for the same Cause; and
it is said to be Error, if any of them be mis-
named upon the *Venire fac* Jur he Retorns no
Issues, but upon the *Distringas* or *Habeas corpus*
Jur, he must retorn Issues.

And if the Parries shall admit a Visne, (or
such a Town to be) although there be no such
Town; yet the Sheriff may not Retorn that
there

Banc. Reg. there is no such Town, but he ought to make
 his Panel *de Corpore Com.* *Dalt.* 286. *Abrid.*
 183, 184, &c. *Greenw.* 114. *Wilk.* *Lut.* 135.
 Vide ante Tit. Attaint.

Habeas Corpora Jur.

*Executo istius brevis patet in quodam
 Panello huic brevi annex.*

A. B. Ar. Vic.

*Nomina Jur' int, &c. as before upon the
 Venire facias.*

*Quilibet Jur' p'dp se se. § J. D.
 pat Manucaptus est per § A. A.
 Eric eoz. cujusslibet — 10 s.*

Here Issues must be returned upon every Juror.

*Quilibet Jur' p'dice sepe. § J. D.
 rae Attach est per Pleg'. § A. A.
 Eric eoz. cujusslibet — 10 s.*

A. G. Ar. Vic.

Brev. Judic. 264. Kitch. 265. b.

And where the Old Sheriff return'd a Juror
 in Issues, the next Sheriff may not return him
Nihil.

Also the Sheriff must return them attached,
 and not *qd habeat corpora eoz.*

And if any of the Jury be Dead, the Sheriff
 may return them *mortuus.* And if after a *Distring'
 Jurat'* or a *Decem tales* shall go out, the Sheriff
 may return that others of them are Dead.

And he may return *Manucaptos* (or *Pledges*)
 upon the Jurors, as above, &c.

Quilibet

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Quilibet Jur' pd' p se sepat { J. D.
Manucapt' est per Pleg' { R. R.
Kitch. 265. b.

Retorn' de Distringas Jur'.

Exceuto istius brevis patet in quodam
Panello huc brevi annex.

And then retorn the Names of the Jurors:
ut supra.

Manu captor' Jur' pd' { J. D.
& eorum cuiuslibet { R. R.

Erie 204. cuiuslibet 10 s. or more according
to the Statute. See for these *Dalt. 286, &c.* and
the *Abridg. 183, &c. Greenw. 225. Wilk. Lat. 139.*

It is also nored, That the Sheriff ought to
retorn Pledges of the Manucaptors as followeth.

Quilibet Manucaptor' { J. S.
pdice Attach est per Pleg' { W. N.

So that upon the *Distring' Jurat'*, the Sheriff
must retorn the Names of the Manucaptors of
the Jurors. And Issues upon the Jurors, and
also the Names of the Pledges of the Manu-
captors, and that without all these the Process
is not served.

If the Sheriff Retorn *Nihil habet, &c.* upon
one of the Jurors, this is not good.

The Sheriff retorn'd, That as to some of the
Jurors he served the Writ; and as to the rest
Mandavi Ballivo Liberatis, &c. But the Sheriff
was amerced, for that the Writ could not be
served by two.

But

But upon the *Distringas* *Jur.* the Sheriff may return Tarde.

**Quoad distringens *J. D. Gallus* *Jur.* in
frascripte essent coram *Justic* ad diem & locum
infracontens illud habere ad Tarde mihi li-
berae fuit quod propter temporis breviterem
Executionem inde facere non possum et pro-
sens Sed de nobis appositum datur talis
ordo tales) prout in isto habet mihi precipi-
tur.**

A. B. C. D. E. F. &c.

**And it is further noted, That upon a *Habeas*
Corporis *Jur.* and upon the *Distringas* *Jur.* the
Sheriff ought to return the Names of all that
were in the *Veniens factus*, and if any of them
be Dead, he may return them *non vivunt*. *Off.*
Brev. 227. *Kitch.* 267.**

**And upon the *Habeas Corporis* *Jur.* as also
upon the *Distringas* *Jur.* the Sheriff must return
reasonable Issues according to the Statute in
that behalf. *Ibid.***

Retorn' Panel de Circumstantibus

***Domina* *Jur.* de Circumstantibus de no-
bis appositum int. *J. A. quer' & M. B. Def. jur.*
ta formam Statuti in huiusmodi causa est
pbiis *A. B. C. D. &c.***

Alicer.

***Domina* *Jur.* de Circumstantibus de nobis
impannellas & retorn per mandatum *Justic*
ad requisitionem quer' pro defectu *Jur.* superius
nominat**

nominae nup̄ comparē secundū formā Statutū
nup̄ inde probis. A. B. &c.

Hanc Reg.

J. F.

De Ventre inspiciendo Retorn' inde secund'
Offic. Brev. 409.

Et hic videlicet R. J. & C. ad modum
id ip̄ dicitur huius die 16 die Febr' ule
p̄terit assump̄ secum duodecim discree & le-
galibz. Ap̄l de Cite p̄ videlicet J. C. J. B.
(Sr.) & duodecim discree & legalibus mul-
teribus de Cite p̄dice Jod Hr' J. C. (Sr.) in
p̄p̄tis p̄sentis suis accessit ab p̄lat. H. que fuit
Hroz p̄dice J. C. Jod defuncta. Et tunc Hr'
p̄dice C. D. & eam a p̄lat. mulieribus coram
p̄lat. mulieribus videri & diligēte examinari
& tractari fecer' p̄ ubera & ventrem in omni-
bus modis quibus melius cerciorari potuis-
sent utrum impregnat sit necne. Post' quam
quidem Inquisitionem in ea parte die &
Anno p̄dice facta mulieres p̄ invenit ip̄am
H. impregnat. Et qd' rebem mulieres dēunt
Et viginti Sabbodades a die dāe Inquisi-
tionis p̄r' sequend' vel ea circiter credider' ip̄am
H. fore parituram Unde eidem Justic' hic
ad hunc diem Scire. fē. evidēter & distīctē
per Litteras suas sigillat & per duos mili-
tes, viz. J. C. & J. B. ex ip̄is qui Inqui-
sitionē illā interfuer' ut cognic' inde veritate
quod iustum fōper' idem Dñs Hr' nunc
faceret, &c.

I. B. Bar' Dic' Com' p'dice Ballib' p'dice
 de G. salub' G'ra H. B. inde m'
 sufficien' securitat' tam de clamore suo p'dice
 de abertis suis videlicet tres vaccas quas
 C. D. & E. F. cepit & iniuste detinuit
 dicitur retornand' si retorn' inde ad iudicem.
 Ideo ex parte Dni Regis tibi mando qd
 pleg' & deliberat' fac' p'lar' H. B. abertis sua
 p'dice Et qd p'dice per vad' & saluos pleg' p'dice
 C. D. & E. F. Ita qd sint eorum m' p'dice
 sufficien' reputat' meo ad p'r' Com' m' d' n'
 nend', Et. Offic. Brev. 222. d'ns & bogbelle

Aliter.

A. D. P. Ar' Dic' Com' p'dice H. B. C. D.
 ballib' meis conjunction' & divisim salutem
 quia J. L. venit coram me & invenit m' p'dice
 sufficien' securitat' tam de clamore suo p'dice
 quend' quam de uno spadone coloris albi p'dice
 septem librar' quem C. B. cepit & iniuste de
 tinuit ut dicitur contra vad' & pleg'. Et. re
 tornand' si retorn' adjudicetur inde Ideo de
 his & utriq' vestrum ex parte Dni Regis
 mando qd p'dice spadonem p'fate J. L. sine vi
 latione repleg' & deliberat' fac' & pon' p' vad'
 & saluos pleg' p'fate C. B. Ita qd sit co
 ram me vel sufficien' deput' meo ad p'p'os
 Cui Com' p'dice tenend' ad respondend' p'p'
 fac' J. L. de placito captonis & iniuste detin
 zonis spadonis p'dice Et habeat ibi hoc p'dice
 dae primo die Julij anno decimo tertio Regis
 Regis Caroli secund', Offic. Brev. 222. d'ns

Obligatio

Banc Reg

habet, &c. upon which Retorn also *Writ* shall go out to enquire of the *Writ*. Also in *Writ* at the Distingas the Sheriff retorn'd that the Defendant was distrained, and retorn'd two Mainpernours, and for that the Defendant appeared not, a *Writ* went out to enquire of the *Writ*, which being found the Plaintiff recovered. And the Defendant brought his *Writ* of *Disceit* against the Sheriff, for turning that he was distrained, whereas he was not.

Retorn' de breve ad Inquirend' de Value

Writute istius brevis mihi direct' Ego B. de die Com' p'dice (tali die & anno) in p'prie persona mea accessi ad Tenementum vel ad locum vastatum in dco b'revi specifico Et apud D. (scilicet the Town) or one of the Towns wherein the Tenement or place was sita lieth) feci Inquisitionem, &c. per istud breve in se exigit & requirit.

A. B. Ar. Vic.

Resid' Execucionis istius brevis patet in quadam Inquisitione huic brevi annex.

An Inquisition upon a *Writ* of *Wast*.

ff. Inquisitio indentat' cap't apud D. in Com' p'dice decimo die Sept' anno regni domini nostri Car' secund' Dei gratia Anglie Broc' francie & Hibernie Regis fidel' Consilii. Duodecimo coram, &c. per Sacrum (et) Jurati & onerati super Sacram suum dicunt qd f. S. in eodem brevi nominat' fecit venditionem & destructionem in tenementis in brevi p'dice mentionat' in litteris videlet' in fodendo

sedando in quadraginta acris terre in hzebi
 p'dict' mentonac Centum & viginti carenas
 Angilli Anglice Clay p'ij. cuiuslibet carenac
 inde unius domus in toto attingend ad decem
 solidas ac Argillum & teri utraplent & ven-
 dunt Aestiam in Domibus videlicet permit-
 tendo Melluagium in dicto hzebi mentonac
 p'ij. tresdecim libras & Porreum in eodem
 hzebi mentonac viginti & quinq libras & sta-
 bulum in eodem hzebi specificac p'ertj quinq
 libras debent & stare discoope p'ro defectu
 regulatonis & stipulatonis eorundem Mel-
 luagij Porrei & stabuli p tempestates pluv-
 ales super ill descendend & p vim venti super
 ill affluend putrid debent & corrupe ac Mel-
 luagium & Porreum ill ratione putredinis &
 coruptionis ill ruine minabantur ac stabu-
 lum illud ratione inde ad terram penitus
 corruit. Et Iur p'dict super Sacrd sud p'd'
 ulterius dicunt qd p'dictus J. null al fecit
 bassum venditionem & destructionem in Ce-
 nementis p'dict in hzebi p'dicto specificac In
 cujus &c. Vide Offic. Brev. 237, &c. Kitch. 272.
 Compl. Sheriff 394, &c.

Aliter secund. Dalt. 291.

Resid Executonis istius hzebis patet in
 quadam Inquisitione huic hzebi annex'.
 Inquisito, Sc. qui dicunt sup Sacrd sud
 qd p'dictus J. & J. ux' ejus in dicto hzebi noīac
 fecer bassum venditionem & destructionem in om-
 nibus in eodem hzebi spec. viz. Permittens
 unam Mulam p'ertj 40 s. duas Cameras p'ertj
 3 l. & unum stabulum p'ertj 20 s. esse dis-
 cooperta & defectu reparacō eall dū domoz.
 & per tempestates pluviales super ill descen-
 dend debent putrid & corrupe, &c. contra

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formam p[ro]visionis in eodem b[re]vi con-
 Et ulterius Qui p[ro]ter super Sac[ra]m[en]tum
 p[ro]dice dicunt q[uo]d R. G. J. aliud n[on] p[ro]p[ri]e
 suam venditionem seu destructionem l[icet] i[n]
 hominib[us] p[ro]ter In cuius rei testimoniu[m]
 Wilk. Lat. 139. Kitch. 172. Vide Etiam Breve
 Judic. 270. simile infra Libertat[em] sur Judgm[en]to
 default.

Aliter secund. eundem. Ibid.

Inquisito indentat rape apud G. in Com-
 G. (talie die G anno) coram M. A. Die Com-
 p[re]s[ent]i virtute b[re]vis D[omi]ni Regis eadem die
 inde directe G h[ab]uit Inquisitionem consul[em] p[er]
 erud. A. B. (Et.) qui dicunt super Sac[ra]m[en]to
 Q[uo]d R. G. in d[omi]no b[re]vi nominat fecit vassum
 G destructionem in bosco in quo in b[re]vi p[ro]ter
 sic menso G in bosco p[ro]dice succidit 20 qu-
 ros p[re]t[er]ij cujuslibet 20 d. p[ar]te inde vendit
 G p[ar]te inde alportans ad exheredat[i]onem M.
 J. infrascripti Et contra formam p[ro]visionis
 in eodem b[re]vi specificat Et dicunt super
 Sac[ra]m[en]to suum q[uo]d p[ro]dice R. nullum majus vo-
 lunt in bosco p[ro]dice fecit put eis aliquo mo-
 constare potest In cuius rei testimoniu[m], Et

Aliter secund. eundem.

Inquisito (et.) Qui dicunt super Sac[ra]m[en]to
 suum Q[uo]d J. R. in b[re]vi p[ro]ter nominat fecit
 vassum venditionem G destructionem in terris m-
 ris G boscis in b[re]vi p[ro]ter spec[ie] videlicet p[er]
 p[re]mittens aulam, Et in b[re]vi p[ro]ter spec[ie] d[omi]ni
 roop[er] Per quod grossam materiam in vassu[m]
 domo[rum] per tempestates pluviales sup[er] illas de-
 scenden[tes] putris debener, Et.

It is noted, That in this Writ to enquire of *Ranc. Reg.*
Waste, the Sheriff is made a Judge of the Cause,
and therefore he must go to the place
wasted, to view the same Waste.
And tho' it be within a Franchise, yet he
ought himself to enter the same, and so exe-
cute the Writ, and may not return *Mandavi*
Ball. Liberatis.

And if the places wasted lie in several
Towns, yet he (together with the Jury) must
go to every Town, and to every place wasted
to view the same, or at least he must cause the
Jury, or some of them to go and see the Waste,
and then he may make his enquiry in any one
of the Towns where the Waste was committed
or assigned, and his Inquisition taken at one
of the Towns will serve for all.

Also he must make his Return, *Ad hirtute*
brevis, &c. accessit ad Censita or *loca bastata*
(scilicet) to all the Towns in which the Waste
was assigned, and at *A.* being one of the Towns
fecit Inquisitionem, &c.

Waste committed in *A. B. and C.* The Sheriff
must Return *quod accessit ad Censita infra scripta.*
He may not Return *quod accessit ad Milliam,*
but *ad locum.*

And where the Sheriff shall do his Office
well in one Town and not in another, a new
Writ must be awarded, and all enquired of
de novo, for all the Inquisition must be made
at one time, and by one and the same Jury.

See more concerning this in *Dals. 290, 291,*
&c. *Abridg. 187, 188, &c.*

When the Sheriff has made his enquiry, he
must return the Inquisition before the Justices
of the Common Pleas, and the single value of
the Waste, and then the Justices will tax the
Waste, &c.

Et 4. And

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And the Jury are to find as well the Writ committed before the Writ purchased, as the Writ made after.

And the Defendant may come and have his Challenge to the Array, altho' that the Inquisition be taken by default.

Withernam.

Vide ante Tit. Capias in Withernam & Tit. Replevin. Nihil.

Infrascripte J. D. nulla habet Aberia in Balliva mea que in Withernam capere possum secundo exigent huius brevis.

Aliter.

Infrascripte J. D. nulla habet bona catalla nec aberia in balliva mea que in Withernam capere possum secundo exigent huius brevis nec aliud habet in balliva mea p quod potest Attachiari nec est invene in eadem.

Aliter.

Nulla sunt bona neq catalla in balliva mea infrascripte J. D. que in Withernam Capere possum Et ideo prefat J. D. Manuceptus est p J. D. & R. R. Dalt. 295.

Cepi retorn'd.

Virute istius brevis, Et Cepi duas de Aberis infrascripte J. D. ab valene, et. (or duas patellas ereas de bonis infrascripte J. D.) Et ea W. B. infrascripte deliberari feci in

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in Withernam salvo Custod quousq; p'd J. S. catall p'd M. B. deliberare volueri put istud h'rebe in se erigit & requirit. Vide Wilk. Lat. 141. Et ulterius nulla habet alia bona, &c.

Aliter.

Virtute, &c. Cepi in Withernam duas bo-
viculas de Aberis infrañotat J. S. que A-
beria duci feci ad D. in Com p'dice salvo &
secure ibidem Custod secundu exigenc istius b'ris.
See Dalt. Abridg. 191. Greenw. 231.

And it is made a Quære upon a *Nihil* re-
torn'd, whether the Sheriff may Attach the
Defendant without some special Clause in the
Writ.

The Sheriff also may retorn *Tarde* upon this
Writ.

And he may either deliver the Beasts, or
Goods taken in *Withernam* to the Plaintiff to
keep, or may keep them himself, or may drive
or send them to any place within his County
to be safely kept.

N. Virtute, &c. Cepi in Withernam apud
D. in Com infraſcript 2 Vactas, &c. de A-
beris infrañotat J. D. & duas Vactas de
Aberis R. C. infrañotat ad valenc, &c. que
quidem Aberia p'dice abinde fugere & duci
feci in quendam locum apud S. in Com p'd
salvo & secure ibidem Custodiens secundu ex-
igenc istius b'revis ubi Aberia p'dice incum-
bent Et J. D. & R. C. nulla habent pluc
sive alia Aberia ad p'resens in balliva mea
que ullo modo in Withernam capere possum
put interius mihi p'cepitur. Dalt. 295. vide
Kitch. 263.

The

Banc Reg.

The Sheriff may Return, that he did not deliver the Cattel to the Plaintiff, for that he was not in the County.

And tho' the Replevin be of Pots or Pans, &c. yet upon the *Withernam* the Sheriff may take any Cattel or other Goods.

Also the Sheriff may have Goods or Cattel to the double value, and he may take Goods of any kind, of any number, and of any value reasonable in his discretion, or by the estimation of Neighbours. *Vide Dalt. 295, &c. & Dalt. Abridg. 191, &c.*

Return of a Writ of *Withernam*, that the Cattle taken dy'd in the Pound before delivery of them to the Plaintiff.

Virtute istius hzebis mihi directi Capi in Withernam apud B. in Com p'dice infra-
scripe sex vaccas de aberiis infranominat
J. S. & duas vaccas de aberiis J. W. que
quidem aberia adinde fugare & abducere feci
in quodam Parco apud S. in Com p'dice sal-
vo & secut' ibidem custodiend' secund' exigen-
tiam huius hzebis ubi aberia illa moriebant
Et p'dice J. S. & J. W. nulla habent alia
abera in balliva mea ad p'ns que ulla mo-
do. Et. Offic. Brev. 214.

Aliter in Withernam ubi nihil secund' Offic.
Brev. 216.

Iustic' infra-
scripe ad diem & locum infra-
content' certifico ad infranominat' A. B. nulla
habet aberia in balliva mea ad valent' aber-
rioru' infra-
scripe prius capere que in Withernam
capere possum Ideo aberia inframent-
onat infranominat' C. D. delibare non possum put
interius mihi p'cipitur. Et

Et ulterius certifico qd pater A. D. nihil Banc. Reg.
habet in balliba mea per quod Writari potest.

I. Doe.
Pleg de pzoa
A. Sor.

Retorn' superinde ubi Superfed ven. al Vic'.

Iustie infrascripte certifico qd post adven-
tum istius hzebis e ante Executon ejusdem
recepti aliud hzebe Dond Regine de Superfed
Virtute cujus Executoni istius hzebis pro-
cedere non potui put ibem hzebe de Super-
fed huic hzebi annex' mihi pcepierat.

T. H. Ar. Vic'.

Brev. Judic. 410.

Retorn of a Capias in Withernam, and Fieri
facias pro dampnis.

Virtute istius hzebis mihi direct de Catalt
infrascript W. W. in balliba mea Pieri feci
6 l. 8. 12 d. infrascript que infrascript T. M.
& J. f. in Cue infrascript adjudicat fuer p
dampnis suis que habuer octone pmissioz
infrascript e denar illos parat habeo coram
Iustie infrascript ad diem & locum infra-
infracontent prout interius mihi pcepitur
Et ulterius Virtute hujus hzebis de ave-
rius pdice W. W. Cept in Withernam unam
nigram vaccam precij 3 l. & 4 d. & unam
albam equam precij 10 s. Et ea prefat T.
M. & J. f. deliberavi detinend sibi quo-
unque Abetia infrascripte prius cape eis-
dem

Banc. Reg. dem E. & J. retorne fuerint secund' eri-
 gene hujus brevis.

J. J. Ar. Vic.

Vide Brev. Judic'. 411.

It is noted, *Dalt.* 296. That if a Plea of *W. thernam* be in the County, (by Pleint before the Sheriff without the Queen's Writ,) and the Sheriff commandeth or tendereth to the Bayliff of a Franchise to make deliverance, and the Bayliff of the Franchise doth nothing therein; then the Sheriff *ex Officio* (without any Writ) may enter into the Franchise or Liberty, and make deliverance of the Cattel, and this he may do by force of the Statutes, *2 Hen. 3. chap. 31. & West 1. chap. 17. Fitz. Wither. 2. 10.*



APPENDIX ad Retorna Brevium :
For the most part taken from the Re-
port-Books both Ancient and Modern.

Writs Returned by other Officers than the Sheriffs, with some References not before mentioned.

Adjozamentum Comunie. 1 Brownl. 173.

Admeasurement de Pastur. Brev. Judic. 7.

Admittens Clericum sup Judic' in Quare Impedit. secund. Brev. Judic. fo. 9.

N. Ego W. providencia Divina Lincoln Epus Justie Dno Regine ad diem in brevi huic Schedul annex' contene certifico qd post receptom istius brevis & ante retroz ejusde scilicet 5 die Junij anno regni dñe Dno Regine nunc 42 W. E. in dco brevi nominat presentabit mihi prefat Epō per verba mto quendam W. G. Cler suum & eum petit ad Eccliam de W. in dco brevi spec' admitti ac quia pdice W. G. adtunc non ptulit nec deliberabit mihi prefat Epō aliquod sufficiend testimonio testificand pbitae vite sue ante ace & professionem suam sincere doctrine Christiane secund formam quorundam Articul in Statue in huiusmodi Casu nuper edie & provis licet inde requisie fuisset Ego prefat Epus prefat W. G.

Wanc. Reg. G. tunc dicit qd ego ipsum **W. G.** in pmissis
 exaiare volui ipm requisitibz qd ne deberem
 anteqm in pmissis exaiare foret super quo
 pdice **W. G.** adtunc instanter Et anteqm
 Ego pzelas Episcopus ipm de insufficiencia sua
 in hac parte convenienter exaiare potui a me
 recessit Et postea & ante retord istius brevis
 ad me non reuenit Ideo ad admittendum dicit
W. G. ad Ecclesiam pdicta pcedere nungotui.
 Vide de Admittend. Clericis super Judic. in Qua-
 re Impedit. Rast. Ent. 703.

Appeal Orig' inde. Co. Ent. 37.

Alia Co. Entr. 92. Plow. 13. 11. Brown. 137.

Hern. 21.

Retord superinde qd Def. nihil habet.
 Ash. 126.

Retord nihil inde Alia. cc. Bo. Act. 206. ac.

Qu Def. est Attach per bovem. Plow. 73.

Ash. 122. Bo. Act. 268.

Simile per Mensam. Hern. 21.

Qu quer' Attach per 100. Oves & uxor.

Nihil habet. 7 H. 6. 9.

Simile ubi uxor est Attach per dona buri.

Ibid.

Retorn' Attach Camerario Com. Pal Cestrie.

R. Respond **W. Comit'is** Dert ac Camerac
 Com Pal Cestrie.

Virtute istius brevis mihi direct' p aliud
 brebe sub sigillo Com pdicti debi in mandac
 Coronator Comie Cestrie videlicet **D. L. &**
J. R. qd. cc. Qui quidem Coronator mihi
 respond qd cepit corpora infranominac **A.**
B. cc. quoz corpora parat habent ad diem
 & locum infracentene secund' formam brevis
 ill' Et qd ceteri Def. infranominac non sunt
 indene

inbent infra Com Civit Castell post receptionem
 brevis illius. Vide Brev. Jodie. 3. post. 12. 12. 12.
 Peripm. Camerac.
 Averment lre Inquisitio super parvis Exit.
 Retorn. per Vic.
 Inquisitio rape apud D. in Com D. co-
 ram nobis R. B. & C. D. Justic Dnd Reg.
 ad Missas in Com pdice captendi Missa die,
 et. in presencia W. C. Vic Com pdice in
 brevi huic Schedul annex spec. 12. 12. 12. bre-
 vis Dnd Regis nobis direct & huic Schedul
 annex per Sacrm W. B. (et) qui dicunt
 super Sacrm lre qd pdice W. C. nuper
 Vic Com pdice de majoribus Exitibus qd
 de 6 s. 8 d. in brevi illo specificat, viz. de 1. 1. 1.
 de Exit Terre R. B. & C. in dts brevi familie
 nominae dlo Dno Regi respondisse potuit a
 tempore receptionis brevis de Disringas in
 brevi huic Schedul annex spec & eidem W.
 C. nuper Vic de Recordo deliberat videlicet
 12 die febe anno regni Dnd Regis nunc 22
 usque Recordo ejusdem brevis de Disring
 In cujus rei Testimonium Nos prefat Ju-
 stic ad Missas huic Inquisitioni sigilla nra
 apposimus die loco & anno supradictis. vide
 Thes. Brev. 144. with references

Capias & Cape Grand.

Ad cepit terras in manus Regis. Rast.
 Ent. 399. 2. Brown. 59. Ash. 266. 12. 12. 12.
 Simile de redditu. Rast. Ent. 399. 12. 12. 12.
 Sur Capere qd Del. fuit commiss per Au-
 ditores. Rast. Ent. 18. 12. 12. 12. 12. 12.

Banc Reg.

Per Die Lond qd Def. fuit prius cap^t in
Judicio in Cur vic, &c. Id. 149.

Def. fuit prius cap^t per Attach **Willelm**
& postea onerat per **Ed Bd, &c.** Co. Ent. 416
qd cepit corpora. Def. & tunc superest
captone alioq. def. 22 H. 6. 46.

Recus extra Custion subbie. Rast. Ent. 379.

Alicer per rescus super ballibum **Willelm**
Ibid.

Simile super ballibum itinerado. Id. Rast.
580.

Simile Recus & Ballibum Libertatis.
Id. Rast. 679. Alicer ibid.

Def. mortuus sur Cap super Statu **Willelm**
tor. Rast. 594.

Cerciozari sur Attach in London **Willelm**
inde Thes. Br. 67.

Cerciozari de Bastardy. Rast. Ent. 19. 109.
Dyer 313.

Simile Brev. Judic. 266. ut sequitur.

N. Honorabilibus & circumspiciis **Willelm**
Justie Dnt Regis apud W. &c. permissane
divina **N.** Cpus saltem in eo qui est vera sa-
lus: **Willelm Dnt Regis presentibus** inclu-
cum ea que decet Reberentia nuper recep-
mus & juxta exigenciam ejusdem **Willelm** con-
vocat coram nobis de jure convocant **Willelm**
ritatem de & super omnibus & singulis in
deco **Willelm** contene quatenus Ecclesiastici per
cognitionem concernunt **Willelm** ut d-
legene inquiri fecimus per quam **Willelm**
nem clare & evidene nobis constitit **Willelm**
ligissime constat **Willelm** humod **Willelm** nominat
fuisse & esse **Willelm** **Willelm** **Willelm** **Willelm**
per **Willelm** **Willelm** **Willelm** **Willelm** **Willelm**
constare fecimus. **Dant &c.** Vide Br. Judic. 266.

Vide

Vide etiam Rast. Ent. 29. 105. Dyer 313. Vide Banc. Reg. Co. Ent. 405.

Simile de Bigamia. Rast. Ent. 106.

Simile de legitimo matrimonio ut sequitur.

¶ Ad quem diem hic bnd tam pdict. C. qd pdict. B. per Hic. Inos pdict. Et prelat. Epus. &c. modo mans qd ipse. Virtute hiebis pdict. Hic. dicit. ac auctoritate sua ordinaria convocat coram se in hac parte convocant Inquisitionem diligentem de & super rei veritate inde in omnibus fieri fecit per quam rite & legitime compert. & eidem Epō evidenter constabat qd matrimonium int. pd. C. & plac. H. iuxta morem & ritum Ecclesie solemnizatum fuit Ideo, &c. Vide Brev. Judic. 266. Dyer 305, 313, 368. 2 Brownl. 65.

Alicui.

¶ Execuc istius hiebis patet in Literis nostris huc hiebi annex. Venerabilibus viris Justic. Dñe Regine de Banco & providencia divina R. Epus soltem in Dño sempiternam Bebe dñe Dñe Regine present annex. omni qua decuit reverentia nuper accepimus. Virtute cuius hiebis vobis certificamus qd omnibus & singulis in hiebi illi spec. rite & debite & iuxta Juris Ecclesiastici exigent observat & vocat in ea parte vocant diligent fieri fecimus Inquisitionem de rei veritate de & super premissis pdict. in hiebi illo content. per quam luculente & evidenter compertimus per legitimas probationes & al. in hac parte canonice requisit. Qd R. B. in hiebi pdict. nominat apud D. in Com. S. in Diocesi R. C. B. in hiebi

predicte similie nuntiavit sigillatim matrimonio
copulat fuit In cuius rei testimonium sigil-
lum nrm Epale presentibus apponi fecimus
manu nra similie hinc interis nrm is amos
quas clausas habis fiat Iustic transmitti-
mus Dac D. Palatio nostro Epali tunc
primo die mensis Oct anno (et.) Vide brev.
Judic. 128.

Per Coronator de Inducamento coram r.
Rast. Ent. 263.

Simile de Utlagaria. Rast. ibid.

Simile qd est nulla utlagaria. Rast. ibid.

Simile de Act qd Annus Coronator paret
ad Com expectavit presenciam alterius qui
postea venit Et ipsi postulaver a Die videre
breve quod eis ostendere reculavit Et non
ulterius tenuit Com Ideo Utlagaria non
fuit pmulgat. Rast. Ent. 235.

Per Vic London de Utlagaria in debita.
Mo. 185.

Per Vic Qui Def. protecit non est protectus
in Obsequium sed remanet intendens propi
negociis. Rast. Ent. 495.

Per Majorum & ballivos recordum Lo-
quele missum. Rast. Ent. 548.

Simile qd est nullum recordum Loquele.
Rast. ibid.

Per Justic ad Alias de verbis omittis in
Recordo Nulle misse in B. R. Rast. Ent. 291.

Certiozar de Original Et record ne fuit
alcun. i Lut. 854.

Simile de Orig & Summons and brief Re-
torn. Id. 855. Clift. 326.

Simile de brief de vlew que sur ceo est re-
torn. i Lut. 857.

Simile

Simile al Chief Justice sur Diminutions
alledge Et les retorns inde. Id. 858.

A Certificate of Assize. Bod. A. 216.

Retorn Breve de Privileg certiss per Cu.
non de Banc in hec verba. Clif. 317.

Aliter de Cerciozari p Custos Brebium de
Banco. Id. 118.

Cerciozari Justie pacis de certificacione
recor'd coram eis Et retorn inde. 1 Brown.
222.

Direct al Court Leet de Rogn Et retorn
de un presentat. 1 San. 134. 2 San. 290.

Certificate ore tenua per le Recorder de
London devant Commission pur examin
Errors. 2 San. 231.

Disceir.

Super Judicio per defale in Formedon
Longo Quinto. Ed. 4. 98.

Distingas.

Qu Def. Nichil habet in Comd per quod
distingi potest sed satis habet in alio Comd
ad. 1 E. 2. 13.

Qu Def. Archidiaconus Nichil habet de
Laico Feod per quod distingi potest. Kirch.
267.

Qu Vic & Hroz sunt disticti. Et alius
Def. districe per Casale. Et. Et seperatim
manucap p pleg'. Rast. Ent. 504.

Distingas Jur & appon decem tales.
Co. Ent. 249.

Retorn pluri distring' Jur in repleg' Et
qd Vic (amoe un Jur) appon un alium p-
F f 2 bum

Baoc. Reg.

hunc hominem in loco suo. Hant. Ent. 214.
Distringas in Admensuratione Dotis.
 Brownl. 26.
Distring' in Ejectione Custodie. 2 H. 4.
Simile in a Writ of Wast. Boo. Ad. 12, 14.

Dower.

Seind in Dote de molendino habend. per
quemlibet tertium mentem. 11 Co. 71.
Carde sur seind in Dote Et Inquisitio
Retornd p dampnis. Clif. 303.
Vide postea Seisin.

Ejectment.

Original inde ove retornd Dic. Bro. Red.
366.

Elegit.

Ad Def. fuit seise de Manerio terris & cur
su falde pro 40 obibus Et Dic deliberabit
Quer tales seperales terras & pecias terrar
ove burials & cursum falde pro 20 obibus.
Co. Ent. 397.

Ad Dic extendi fecit 2 Maneria unde Def.
fuit seise ac qd Manerium de C. valet 10 l.
20 l. Et Manerium de D. valet 10 l. Medi
etac quoy Maner' vic liberabit quer. Rast.
Ent. 262.

Ad 2 Def. sunt seisse de 2 Adels 100 l.
Terre 4 Acr ppati, &c. que fac Manerium de
A. qd valet per annum 40 s. Cujus medie
rat videlicet, &c. liberabit quer. Rast. Ent.
Ibid.

Ad

Ad Def. habet nulla bona Et qd fuit scit de uno Messuagio 10 Aer Terre 40 Aer parati, &c. talis annui valoris Unde Dic deliberabit medietatem Quer. Rast. Ent. 262.

Ad Vir & Uxor habent nulla bona Et qd sunt scit de libo testis in iure Ur' de 2 Capitalibus Messuagiis cum 6 Clausuris 2 Pozis & 2 Pomariis eis adjacens 10 Messuag 2 Cottag 100 Aer Terre &c. talis annui valoris Et Dic deliberabit quer medietat', &c. Rast. Ent. 261.

Elegit super Judic in vasso qd Def. est scit in iure uxoris tenentis pro vita de Messuag' & talibus Elis Et Dic libabit quer Messuag' & talia cla & 3 Aer' in Angulo Clausi. Co. Ent. 706.

Per Ballivum Libertatis qd Def. fuit possessionat de homis que liberabit & Def. habet nullas terras Testae est qd Def. habet plura bona Et breve inde agard. Rast. Ent. 262.

Ad Def. fuit scit de reversione terrarum post mortem P'is habend' Unde medietas, &c. liberat cum acciderit. 1 Towns. Judg. 48.

Ad Def. fuit scit de terris, &c. unde Dic non potuit facere liberationem eo qd fuer' prius liberat al und E. Unde Sed id agard sup allegatam qd E. est satisfact. Mo. 142.

Elegit super Judicio per defalt verus retentum super Recogn' **Ad** illa tenta spec in brevi in tenura A sunt talis annui valoris Et sic de terris Et qd Cognizor fuit scit de omnibus in feodo quor' medietas Dic liberabit quer. Co. Ent. 636.

Terminus in Rectoria appreciat & deliberat quer in parte Solucionis debi. Rast. Ent. 450.

Banc. Reg.

Ad nullus vendit ex parte que ad liberatam
habend' Ideo Liberate agant & Retorn.

1 Towns. Judgm. 17.

Centum & 12 Aer. Terre, et. Co. Ent. 536.

Elegit sue Scit fac with the Sheriffs Retorn.
1 Mod. Inr. 271.

Simile upon the first Judgement with an In-
quisition retorn'd. Ibid.

Extent.

Ad Cognizor fuit seir de terris in feodo
Et possessionae de Termino in terris quibus per
legales Convelancias venit ei. Herm. 623.

Ad Cognizor fuit seir de terris p Termino
vite alterius. Co. Ent. 296.

Ad Cognizor fuit seir de terris p Termino
vite sue Et possessionae de alijs terris per
Assignatōm Termini anno 4. Id. ibid.

Ad Cognizor fuit seir de messuag' & terris
in sepealibus tenuris in feodo Et qd fuit
seir de pastura Et qd fuit possessionae de ter-
ris per dimissionem p 20 annis. Id. 297. bis.

Ad Cognizor non habuit aliquas terras in
Feodo sed in jure Hrozis que superbit cum
& qd Cognizee perquisivit de eis per 2 fines
Et qd nullus vendit hic ad petens Liberatōm.
Rast. Ent. 596.

Extent vera A. & B. Retorn qd A. fuit
seir de sepealibus messuag' & terris in sepe-
ralibus tenuris in feodo & de alijs terris in
jure ux' p 20 vita Et qd B. fuit seir de terris.
Co. Ent. 298.

Retorn Extent exerce per nuper die &
Inquisition Rast. Ent. 595.

Intrato

Intents inde sur Statute Staple. Lut. 430. Banc Reg.
 Simile. Chf. 866. & 1 Bro. Abt. 319.

Extent against Coheirs with an Inquisition
 of value, after *Scire fac* upon the first Judgment.

1 Mod. Intr. 266.

**Extent post Cā la & retord qđ und mortuus
 & alter laicus.** 1 Mod. Intr. 275.

**Extent sur Statute Staple vers Cūcū ere-
 nue per Archiepū de bonis Ecclesiis.** 1
 Towns. Ind. 141. simile Brev. Judic. 268.

Extene sur defale de Donchee. Rast. 247,
 377.

Simile sur Pozein Donchee. 2 Brownl. 46.
 1 Mo. Intr. 278.

Extent upon a Statute Merchant, of other
 Lands and Tenements after the like Extent
 made before, whereupon an Inquisition was
 returned. 1 Mod. Intr. 261.

Error.

De Error corrigend qđ misit Recordum, &c.
 Hern. 21. Rast. 307. Dyer 173.

**Retord hzebis de Erroze e Com Pal Lane
 & Judic affirmat supinde sur Demurzer &
 Responſ Cancellat Com Pal.** Clift. 311.
 simile Id. 334.

Aliter per Capital Justic de C. B. Id.
 315, 321.

Aliter per Senior Justic de Banco. Id.
 326.

Aliter Justic Cess Et Respon Justic inde
 Clift. 361.

Exigent.

F f 4

Falle

False Judgment.

De falso iudic. execut. Rast. Ent. 339.

Hecord. Brevis de falso iudic. 339.

339. Q. 2 Lut. 951, 554.

Fieri Fac.

Denarii lebae solue. Hecord. Rast. Equ. 37.

Dic deliberabit denari lebae quer. in Cur.

Ibid.

Dic onae se cum denari lebae, Et non pter
eas in Cur. Ibid.Ad Exec. nulla habet bona Testatoris nec
aliqua bona ppi. Id. 328.Fieri fac de bonis Ecclesiasticis qd pter
fac parcell. Et qd non fuerit pluri bona. Id. 37.

Ad Def. est Cicus beneficiat. Ec. P. 6.

E. 3. 52.

Formedon Orig. inde. Co. Ent. 355.

Habeas corpus;

Ad Def. fuit cape p nuper Dic qui non
curat eum liberare modo hic. 46 E. 3. 3.Ad Def. fuit cape in Executone. Et Mare
non potuit nec voluit habere corpus sine
Habeas corpus cum causa. Dyer 364.Per Guardianum de le Fleet qd Def. fuit
comiss. super Hclagaria. Rast. 304.Per Dic London qd Def. petens p quere
lam unde partes plitaber & virtute 3 hie
bium de Executone super Hecord. in Cane
debo recupae in Lond & 2 querel. in London
Eric juna. Et ad sepe rat. mandas. Hecord.
Hil. C. D. Hil. & C. f. Hi Hecordatoris
Lon.

The Appendix.

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London quorū causa Die est ignota. Co. Banc. Reg.
Ent. 344.

Aliter super Capias urlag' & querel' in
London. Id. 345.

Aliter super ser' repetat querel' in Cur
Die London. Id. 436.

Qu' fuit detent' per nuper Die & modo Die
super querel' in debito & 2 querel' in trans
Id. 437.

Super querel' in debito super Recogn' ad
solvend' denar. Orphanis super Cons' in Lon-
don & pare Tra24 Patend' Et petico ad pro-
cedend'. Id. 346.

Qu' Def. est capte per Actonem ad Bece
Camera' London p' pena forisface per Ac-
tum Cois Consilij rone Shope custodie infra
Civie per extraneum. 8 Co. 123.

Qu' Def. fuit confis' p' malegestura erga
Major'em London. Co. Ent. 346.

Habeas Corpus Jur'

Habeas Corpus Recogn' Alize ove tales.
Hern. 22.

Inquisition'.

Inquisito super Uclag'. Clift. 417.

Aliter super Uclag' de denariis in manibz
debitoris. Ibid.

Inquisito & Judic inde. Id. 422, 227,
224.

Sur Inquir Die Retord qd Venire fac
Jui quorū A. & B. recusaverunt jurari per
quod non poruit erequi breve Inquir de Po-
bo & Attach p' contemp' verā A. & B. agard.
Mo. 64.

In-

The Appendix.

Inquisitio de Lunacia. Ley 55.**De Cignis non signae in Esturia in quam mare fluit.** 7 Co. 15.**De uno submerso per remigatonem sub ponte London.** Ry. 676.**De felonis de se.** Rast. 609. Plow. 255.**De bonis felonum, &c.** Co. Ent. 530. For Inquisitions upon Murder, Felony, &c. See *Wilkinson's Office of Coroners and Sheriffs*, in the Office of Coroner. And also see the Treatise in ruled. *Officium Clerici Pacis*.And see **Inquisitio coram Coronator de morte viri.** Rast. 363. bis.**Simile de felonis de se.** Id. 609. Plow. 255.**Inquisitio Retorn'd in Cas.** 1 Mod. Int. 55.**Simile in Cas.** 1 Saund. 270. 2 Saund. 131.**Simile in Covenant, Inquiry agard Retorn'd & Judic.****Simile sur Breve de Hue & Cry.** 1 Saund. 378.**Sur fieri fac, Scire fac & Inquire de vastavit Retorn'd.** 1 Saund. 305.

Upon the Statute 17 Car. 2 chap. 7. for the Avowant upon a Demurrer, an Inquiry of the value of the Distress and Judgment thereupon. 1 Saund. 195.

The like of Monies Arrear, and of the value of the Distress and Judgment thereon. 1 Saund. 69.

Simile in trans sur Demurrer. 1 Saund. 342.**Inquisitio retorn'd against Terrenants after an Elegit upon a Scire facias, and Testatur.** Bro. Met. 190.

1. Of an Inquisition finding that the Money was paid according to the Condition in the Deed. 1 Lut. 840.

2. The

The Appendix.

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1. The Tenor of an Inquisition found upon Banc. Reg.
an Indictment of Treason, and an Outlawry
thereupon. 2 *Lut.* 996.

2. The like of an Inquisition by Commis-
sioners, upon the Oath of an Inquest concern-
ing the Office of the Marshal of the Queen's
Bench. Bro. Rid. 375.

The form of which three last Inquisitions are
as followeth, viz.

(1.) In an Action of Entry, upon a *Proviso*
in a Deed of Bargain and Sale, to determine
and make void the Deed upon payment of 30 s.
It is alledged, that the Demandant paid the
said 30 s. and the said payment found by In-
quisition as follows. *Postea per quandam*
Inquisitionem capta apud Guithals Civie Lon-
don pdice situate in Paroch Sti I. in bee
I. in Warda de Cheap ejusdem Civie Lond
19 die Martij anno regni dñe Dñe Regine nunc
33 supradicto coram T. M. Mil' W. D. C. O.
At & T. A. Commissionari dñe Dñe Regine
virtute Commissionis ejusdem Dñe Regine eis-
dem tribus vel duobus eorū direct' p Sacram
P. S. Ec. pbor & legalium hominū Civie
pdice compertum fuit qd pdice G. H. in ppe
persona sua pdice 27 die Jan' anno 33 supra-
dicto in pdice Ecclesia Paroch Sti D. in le
West in Fleet-street in suburbis London de-
liberavit & solvit plac J. B. pdice 30 s. in
plenam pformacionem & complementum Con-
ditionis in pdice Indentura ine ipm G. &
plac J. B. facere content secund formam & ef-
fectu Conditionis pdice put per Inquisitionem pd
per eisdem Commissionari in Cur Cane pdice
Retorn & in Filaciis ejusdem Cane apud
W.

Banc. Reg.

**W. p'dice de recordo residens plenius liquet
apparet, &c. 1. Luc. 840**

Pasch. 10 Williel. tertij Regis apud Pleas
following Inquisition, D. nigra in

(2.) Inquisito int' capt' apud **Castro** **E**
in **Com. E.** p'dice 20 die Dec anno regni
mini nostri & Dñe nostre Will & Marie Vi-
grad Angl Regis Franc & Hibine Regis
Rñe fidei defens, &c. secund' eozam nobis
C. B. Ar. J. S. G. P. & J. C. quod dñe
pud **Westm** 23 die Octobr jam ult' p'dice
nobis aut aliquibus rebus vel plac in eadem
Comission' nominat & direce & hinc Inquisi-
oni annex' ad inquirend' ex parte dñe Regis
& Regine de quibusdam Articulis & Circum-
stanc in eadem Commissione content' & speci-
ficat per Sacrd **J. B. Gen. E. B. J. B.**
G. D. G. B. R. S. M. G. M. C. M. f. J. S.
S. S. S. R. & C. f. p'boz & legalium homin'
Com p'dice qui onerat de & super premis-
dic qd **R. S.** Mil in Commission' p'dice nomi-
nat die perpetrato' alte p'odito' in eadem
Commission' specificat scilicet primo die Maji
anno regni eozundem Regis & Regine pri-
mo seie fuit in Dñico suo ut de feodo de
& in un' Messuag & de & in ad firmat'
Anglice Farmhold cum p'tio modo vel nuper
in occupato' **A. A.** vel assign' suoz clar'
annui valoris in omnibus Crie ultra repit'
64 l. 3 s. 4 d. (and so several other Messuages
and Farmholds are found) Que quibret' Mes-
suag' firmat' Cottag' & cetera omnia premis-
sa cum omnibus suis p'ctis scituat' factis
existend' sunt infra Maner' Dominie **Willel.**
sive Paroch' de **Catterac** alias **Catterick** in
Com

Com Ebor' p'dice (and so of other Lands, &c.) *Base. Reg.*
 Et ideo Nos p'fate Commissionarij Maner Domini
 minie Westuag' testata firmas Decimas
 Cottag' Parc' & omnia & singula cetera pre-
 missa cum omnibus suis p'tid in man' eor' d'ni
 Dni Regis & Dne Regine cepimus & seisciri
 fecimus ut per Commissionem p'dictam precipitur
 In cuius rei testimonium uni parti hujus
 Inquisicio indentae penes nos Commissionarij p'di
 remanent ac per nos Baro de Selio dice
 Dni Regis & Dne Regine mittend' & certifi-
 cand' tam Jur' p'dice manus & sigilla p'de
 apposueri q'd nos p'fate Commissionarij manus
 & sigilla nostra apposuimus Alteri vero parti
 hujus Inquisition' penes primas Juratos
 p'dice remanent nos p'fate Commissionarij manus
 & sigilla nostra apposuimus die & loco su-
 pius mentionat, &c. 2 Lut. 996.

Vide Inquisitionem coram Commissionarij de
 qualibus bonis Felo de se oblit' posses'.

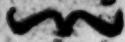
Rast. 609.

Inquisicio del Office de Marshal del
 Bank le Roy.

(3.) Adidit n. Inquisicio indentae capta apud
 Paroch' S'ti Clementis Dacorum in Com
 p'dice 16 die Junij anno regni Jac' 2 nunc
 Regis Angl', &c. secund' rogam J. C. R. C.
 & J. G. Sed Commissionarij ejusdem Domini
 Regis sub magno sigillo suo sigillat' gered'
 Dae apud Westm' 8 die instantis Junij eis
 in eadem Commissionem nominat' direct' ad
 inquirend' ex parte d'ni Dni Regis de & su-
 p' quibusda' Articulis rebus & Circumstantiis
 annex' p' Sacram' T. H. J. B. &c. probor' &
 legalium homin' Com p'dice qui jurat &
 onerat

Banc. Reg.

onerat die super sacrum suum in
 Cur. War. War. Cur. War. War.
 solo Rege in eadem Communitate
 est nomen de tempore cuius regis
 homin non existit fuit antiquum
 War. War. War. War. War. War.
 pus pice fuit Antiquus Officiarius qui
 pore cuius contrax memoria homin non
 ista rone Officii sui pice fuit
 sonar Warlealese pice per pice Cur. Com.
 ac istis fuit consequit & debuit ad hoc
 bere in pice Cur. ad negotia & servitia
 ill incumben & ptime facien & erem
 War. pice Officium War. War. War. War.
 in sepal respectibus pice qm in
 respectibus administratō & executō
 tangit & concernit & p totum tempus
 tangebatur & concernebat ac ideo Offic. ill.
 pert discret & honest. virum ad Offic. ill.
 quend requirit War. diu ante emanatō
 Commission pice scilicet 9 die Aug. ann.
 regni Dni Car secun nup Regis Angl. 23
 quidam W. L. Ne fuit de pice Offic. War.
 Warleale Dni Regis coram ipso Rege fuit in
 Dinto suo ut de Feodo & iure Et sic in
 fuit existē idem W. L. postea & ante
 natō Commission pice scilicet eodem 9 die
 Aug. anno regni dñi Dni Car secun nup
 Regis Angl. 23. supradit. apud W. L.
 Com pice per quoddam sen suum sigilla
 ipsius W. L. sigillat concessit Officium pice
 cuidam C. P. War. ac sepal al pson. War.
 pice ignot hend eidem C. P. & eidem al p
 sonis & hered suis impetum virtute capis
 quidem Concession idem C. P. ac eidem p
 son fuer de Officio pice fuit in Dinto suo
 ut de Feodo & iure War. pice C. P. & pice
 al pson vel aliquis eoz. vel aliqua alia per
 sona



lona per ipsos sub eorū aliquos assignat
 ne deputat ad aliquod tempus post confe-
 rion Concessionē p̄dicta p̄dictis non interomi-
 tti nec eorū aliquis interomissit in executione
 Officij illi nec suscepit in se nec eorū aliquis
 in se suscepit executionē & exercitium p̄dicti
 Officij Warre Marele Regis coram ipso Regē
 nec aliquo aliter deserviverit seu attendebant
 nec eorū aliquis deservivit seu attendebat in
 eodem Officio, nec Officij p̄dicti exercuerit nec
 eorū aliquis exercuit sed per totum idē tem-
 pus ad eodem Officio seipos absentaverit &
 elongaverit ac exercitium & executionē Officij
 p̄dicti ac ad omnia & singula negotia & servi-
 cia eodem Officio Warre Marele p̄dicti in-
 cumbent faciendo & exequendo p̄ totum idē
 tempus p̄dicti voluntarie reliquerit omiserit &
 penitus neglexerit Et Jur̄ p̄dicti ulterius di-
 cunt super Sacram̄ suum p̄dicti Qd Concessio
 p̄dicta p̄ ipm̄ W. L. in forma p̄dicta facta existit
 m̄d facta cum Assensu vel noticia p̄dicti Cur̄
 dñi Dñi Regis Car. 2 coram ipso Rege tenet
 sed a noticia Cur̄ illi concealat & secreta exis-
 tit p̄dicti W. L. non obstante p̄dicti concessi-
 onē & assignationē Officij p̄dicti in fraudem
 Cur̄ p̄dicti pretendens seipm̄ fore scire de Offi-
 cio p̄dicti de tempore in tempus post p̄dicti non
 diem Aug. anno 23 supradicti apud W. p̄d-
 suscepit Officium p̄dicti Et reddit Erie & pro-
 ficua inde habuit & recepit & in usum suum
 propr̄ convertit & disposuit Ac si idem W. L.
 fuit & continuabit seise de eodem Officio in
 Dñto suo ut de feodo & iure p̄dicti C.
 R. ac p̄d al. person̄ quibus concessio p̄dicta p̄
 ipm̄ W. L. in forma p̄dicta facta fuit negligen-
 tes exercere Officij p̄dicti ac attendentiam
 suam pro exercitio & executione Officij p̄dicti
 dare omittentes postea & ante emanacionē
 Com.

Banc. Reg.

Commission d'office scilicet 26 die
 na regni dei Dni Car 2 nup Regis Ang
 Et. 28 apud W. d'ice quidam J. C. qui
 adhuc suplicat & in plena vita
 Officium d'ari d'arise d'ice ubi
 W. L. in Com d'ice in deceptio ejus
 coram ipso Rege admittit & jurat
 cujusdam Concession' inde eidem J. C. p
 W. L. abtunc & ibidem facit p
 ipsum J. C. sub quodam annuat
 1400 l. p ipm J. C. eidem W. L. p
 bent duran termino illi ac
 illi abtunc & ibidem de facto
 ac Officium d'ice abinde usq
 26 die annu regni dei Dni Car 2 nup
 Et. 33 habuit & exercuit. Then
 several Judgments against Defendants upon
 Actions of Debt, &c. and their Commitment to
 the Custody of the Marshal J.C. in Execution,
 and that the said J. C. suffer'd them to escape,
 and thereupon the Plaintiffs bringing their A-
 ction of Debt against L. as superior, he plead-
 ed *non detinuit*, and upon the Tryal produced
 the Deed of Grant of the Office to the said
 E. N. &c. whereupon the Plaintiffs could not
 proceed, but were defrauded of the benefit of
 their Suit, &c. That afterwards J. C. left the
 Office, and one H.G. was admitted and Sworn
 therein, under the Grant to J. C. with the as-
 sent of the said W. L. and afterwards neglected
 to attend the Court, but suffered several Es-
 capes, contrary to the Duty of his Office, and
 of the Trust in him reposed. *In ejus rei Te-
 stimonium, &c. Brownl. Rediviva 379, &c.*

Vide Inquisition coram Commissionari de
 rebus debentem Regi p. Attinguram. Rast.
 Ent. 634. Co. Ent. 423. bis. 426. Plo. 479.

Simile

The Appendix.

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Ranc. 2. 2.

Simile etiam Electore. Rail. 101.

Simile card. Electore sine mentione habet.

Co. Ent. 514.

Electore virtute. Offici. de titlo

Maris ab testat. Co. 12.

Super Communion in natura habet de

diem clausit extremum. Rail. 291. Co. Ent.

296. 495. Super habet de diem clausit extremum & te-

nure in hoc compere supinde. Rail. 529.

550. Similis Inquisito tenura in Capite com-

pere supinde. Et tere leic in manum Regis.

Rail. 566. Co. Ent. 479. 498. 500. 44. All. 35.

Horn. 518. Similis Inquisito & Cellura probata de

Etate & libate supinde. Rail. 516.

Mandamus.

(1.) *De Mandamus pro restitutione Bur-*

gens. amot. 11. Co. 94. simile Thes. Br. 159.

(2.) *The answer of the Chancellor of Ches-*

ter to a Mandamus, to the Spiritual Court,

to swear a Church-warden elected by the

Parishioners according to Custom, &c. 2. L. 1011.

(3.) *The like to a Mandamus, to restore an*

Attorney of Ches-ter to his place there. Idem

1014.

(4.) *The like to admit one to the Office of*

a Mayor of a Corporation. Thes. Brev. 159.

The several Returns whereof are as fol-

lows:

G G

(1) Upon

(1) Upon a Mandamus to restore one *Burgess* a Burgess, according to the

Exemplum istius brevis patet in quodam
Schedulo huius brevis annex. *J. C. Willelms* & in
Responsio Majoris & Comitatus Burgensium
ad breve huius Scheduli annexum
Exigens brevis potest.

Dno Regi humillime certificamus
Dna Eliz. nuper Regina Angli per litteras
suas Paten. magno sigillo suo Angli sigillat
geren. dat. apud Westm. 28. die. Feb. ann.
regni sui 43. p. se heredes & successores suos
concessit Majori & Comitatui Burgi de p.
p. & successoribus suis int. al. qd. Burgi
reco. dato? Burgi p. dicit p. ted existens tunc
te quo ipsi in Officiis suis fore contingerent
& ulterius Predecessor prefat. Majoris ad hunc
supra p. ted exist. & Successor sui fore
Iusticiarii ejusdem nuper Rne & Hered. &
Successor suorum ad pacem in eodem Burgo &
infra Limites p. dicit & Libertates ejusdem
conserband. & custodiend. & conserbare & cu
stodire faciend. absq. alio mandato Commissi
one sive Warranto p. inde pend. sive obtinend.
Et ulterius dno Dno Regi certificamus qd.
infra Burgum p. dicit talis habet & de ted enj.
cont. mem. hominum non existit habetque usus
& Consuetudo qd. Major & duodecim Capit.
Burgensium Burgi illi extiterunt & fuer. de pri
vato Consilio Burgi p. dicit Et viginti quatuor
de aliis discretioribus Burgensibus Burgi
p. dicit p. ted existens ad hoc elec. & iurac.
extiterunt & fuer. simulcum p. dicit Major &
12 Capital' Burgens' de eod. Consilio Bur
gi p. dicit p. melioze regimine & gubernatione
Et qd. quilibet talis Burgens' qui in Socie.

rat p^{re}dict 24 Burgens^{es} de eod^e Consilio p^{re}dict
electus fuerit antequam ad eandem sortitac^{em} ad
missus fuerit. Sacram^{entum} p^{re}staret corporale cum
omnib^{us} Burgi illi p^{ro} t^{er}o exister^{et} q^{uo}d ipse be
ne & honeste se gereret tam erga majorem
Burgi p^{re}dict p^{ro} t^{er}o exister^{et} q^{uo}d erga p^{re}dict
12 Capit^{ulum} Burgi illi p^{ro} t^{er}o exister^{et} &
eis de t^{er}o in t^{er}o p^{re}staret. Et
q^{uo}d man^usceret & sustentaret libertates ad
eod^e utilitatem Burgi p^{re}dict optimo consi
lio & aduocamento suo. Et ulterius certifica
mus q^{uo}d quilibet p^{re}dict 12 Capit^{ulum} Burgens^{es} de
t^{er}o in t^{er}o elect^{us} & p^{re}dict fuerit p^{ro} majore
Burgi p^{re}dict & t^{er}o p^{re}dict 12 Capital^{ibus} Bur
gens^{es} vel p^{ro} majorem partem eor^{um} d^{ic}t^{um} p^{ro} t^{er}o
exister^{et} tantum sine consensu vel assensu p^{ro}
24 at Burgens^{es} qui sunt ut p^{re}dict de eod^e
Consilio Burgi p^{re}dict ad hoc requisit^{us}. Et ul
terius certificamus q^{uo}d, &c. And so set forth,
that the said J. B. 1st May anno 32 Eliz. was
elected one of the 24. and took the Oath ac
cordingly. And further, that afterwards the
said J. B. not regarding his Oath, nor the Au
thority of the Mayor, &c. but endeavouring to
bring them into contempt, &c. 1st May anno 6
Jac. 1. he then being one of the Common
Council, and one of the Chief Burges^{ses} in
the presence of R. T. then Mayor, and many
others behaved himself contemptuously to
wards the said Mayor, and then said to him,
you are some Prince, are you not? And after
wards at another time anno 7 Reg. said to the
said R. T. then being a Justice of Peace,
openly, falsely and scandalously said of him,
You are a Cowardly Knave: And afterwards an
no 7 p^{re}dict. incited one T. S. one of the Capital
Burges^{ses}, to joyn himself in conspiracy with
the said J. B. to depose one J. B. then Mayor,

Banc' Reg. and said these scandalous words of him, *Master Mayor carries himself foolishly in his place, and if you will join with me, we will turn him out of his Mayoralty, and choose a wile Man in his place:* And afterwards even *S. R.* openly let of, and to one *T. F.* then Mayor, viz. *T. F.* an insolent Fellow. And afterwards *S. R.* openly spoke many contemptuous words, and to the said *T. F.* being then Mayor, and the said *T. F.* then mildly admonished him to desist, he the said *J. B.* uncivilly turned his posteriors toward the said Mayor, and said to him *come and kiss me.* And afterwards at another time threatening said to the said *T. F.* then Mayor, viz. *I will make thy Neck ache.* That afterwards in the 12 Year of the King an Order of friendly admonition was made by one *J. S.* then Mayor as follows, viz. *Ne die Maij Anno Dom. 1614.* The day and year above written, It was agreed by *J. S.* Mayor and such other of the Masters hereunder written, being assembled in the Council Chamber at *Plimouth*, That if Mr. *J. B.* the Elder, be not before the next Sessions to be holden within the Borough of *Plimouth*, reconcile himself to the said Mayor and his Brethren for his wrongs, as he hath committed against them, and withal faithfully promise to demean himself more orderly and temperately for the time to come, That then he shall be clean removed from the Bench, and a new Master chosen in his Room. Then shew that *J. B.* made no such reconciliation. But that in *1614* *Regis*, he contumeliously, &c. in the presence of the then Mayor, publicly said of the *J. S.* viz. *You are a Knave.* And then they set forth several other of his sayings, at several other times,

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times, and upon several occasions, as upon an
Order of the King and Council, That Inn
keepers, and Keepers of ordinary Tables, and
Alehouse-keepers should be bound by Obliga-
tion not to dress Flesh, *tempore Quadragesime tunc*
prox. futur., and that the Mayor acting pursuant
to the said Ordinance, the said J. B. publicly
said, *Blasphemous Mayor does more herein than he need,*
and more than he can well answer; And that at
another time he practiced with one W. B. and
T. L. Tavern-keepers, and sellers of Wine,
revealing the secrets concerning the Utility
of the Borough, and persuaded them to pay
no further Custom of Wine weight laying, *You*
need not to pay the Money for the Wine weight any
longer, except you list, for it is not due unto them.
And this was to the great prejudice of the
Mayor and Commonalty. Et ulterius deo
Dño Regi certificamus qd pñter J. B. 1
die Martij anno Regis, Re. 12 & diversis al-
diebus & vicibus tunc pñter apud P. pñter
pñter dixit diversis Inhabitibus Burgi
pñter & alijs Regeris dñi Dñi Regis super
communicatois inc eos & pñter J. tunc pñ-
habie de & super Libertatibus & Privilegijs
Burgi pñter Et ipse idem J. B. subvertes-
ret & evanesceret Cartam Anglice the Charter
Burgi pñter imitando Cartam pñter p pñter
nuper Regiam Eliz. pñter Majori & Consi-
tar ut pñter concessa Et qd ipse idem J. B.
Libertates & Privilegijs Burgi pñter altercasset
Anglice would call in question & eadem Pri-
vilegia & Libertates subverteret Et ulterius
dño Dño Regi certificamus qd postea scilicet
17 die Aprilis jam ult pñter pñter J. B. in
dño pñter nominae ex causis pñter p Majorem
& Consilium Burgi pñter ab Officio un Capital

8.

9.

10.

tal Burgens & Magistrat Burgi publice
amotus fuit.

J. Cl. Mayor.

Note, Upon the whole Matter and Causes afore-
said, It was resolved by the Court, that there
was not any just Cause to amove him, and
therefore a Writ was answer directed to the
Mayor and Commonalty to restore him.

1. And it is observed, That as to the first
Words, *You are some Prince, are you not?* That
such Words are to be reprehended, but are no
cause to disfranchise him.

2. As to the second, *You are a Cazenine Knave*,
That they are contemptuous, and deserve pu-
nishment, *scilicet* to be bound to his Good be-
haviour, if they were published when the
Mayor was sitting in the Execution of his
Office, but they are not Causes to Disfranchise
the Delinquent.

3. *Master Mayor carrieth himself foolishly in his
place, &c.* That these are no cause to Disfran-
chize him.

4. *Tbou art an insolent Fellow* (ut supra.)

5. *Come Kist, &c.* That these are contrary
to good Manners, and worthy of Punishment,
as aforesaid, but no cause of Disfranchizement.

6. *I will make thy Neck crack* (ut supra.)

That the Ordinance of amiable admonition
is repugnant to the Return alledged.

7. As to the words, *You are a Knave* (ut
supra.)

8. *Master Mayor doth more herein than he will,
&c.* no cause of Disfranchizement.

9. Towards touching the Custom of Wine
weight are too general, and only spoken as his
Opinion,

10. There

10. There might be some cause that he might well justify these words concerning the Charter.

Also it was resolved, That an endeavouring only without any Act done, is no cause. 1. For in such cases *voluntas non reputat pro facto*, and that a contempt is not a sufficient cause.

2. That if they who have just cause to remove, yet if it appear by the Retorn, that they proceed against the Party without hearing him answer to what was objected, or that he was not reasonably warn'd, such removing is void, and shall not bind the Party.

3. That if they have power by Charter or Prescription, and do Disfranchise one, and afterwards upon the *Mandamus*, they certify sufficient cause to remove him, but it is false, that then the Court cannot award a Writ to restore him, nor any Issue can be taken thereon, because the Parties are Strangers and have no day in Court: But the Party grieved may well bring an Action upon the Special matter against them who made the Certificate, and aver it to be false, and if it be found for him, and he obtain Judgment against them, so that it may appear to the Justices that the causes of the Retorn are false, then they award a Writ of restitution, &c.

Also it was resolved, that such a Retorn of Disfranchisement ought to be certain, so that sufficient matter may appear to the Court to Disfranchise the Party, and the rather for that the Party cannot have answer to it, as aforesaid. 11 Co. 94, &c.

In this case it was said, That the cause of a Disfranchisement ought to be founded upon some Act against the duty of a Citizen or Burgess, and to the prejudice of the Weal

Banc Reg. publick of the City or Borough, and if also against his Oath, that much enforces the cause of his amotion.

That if the Corporation have power by Charter or Prescription to remove upon reasonable cause, it shall be *per legem scripte*, but if they have not power, he ought to be convicted *per iudicium parum suorum*, &c. as if any Citizen or Freeman be attainted of Forgery or Perjury, or conspiracy, at the Suit of the King, or of any other Crime, by which he is become infamous, upon such Attainder they may remove him, so if he be convicted of any such Offence, which is against the Duty and Trust of his Freedom, and to the publick prejudices of the City, &c. of which he is Free, and against his Oath, as if he hath burnt or defaced the Charters, or Evidences of the said City or Borough, or razed or corrupted them, and be thereof convicted and attainted, these, in said, and such like are good causes to remove him.

That in *Tres. Brev.* 159. it was for a breach of Trust, in not accounting for Perquisites and Profits upon a Lease granted to him in Trust, for the use of the Corporation, &c.

Upon the *Mandamus* to Swear a Churchwarden elected by the Parishioners, &c. The answer of the Chancellor of *Chester*.

Who Regi. infrascript humillime certifica
qd infrascript S. G. non fuit electus & plectus ad
locum & officium vni Gardiani Ecclesie Parochialis S. Petri infra Civitatem Cestrie infra mentio-
nas Et ea de causa Sacrum quod Gardianus
Ecclesie Parochialis dicitur hactenus prestare non
luebit non administrabi nec ministrare possit
Reg.

Acta **Idia** **S. B.** in **Idia** **locum** & **officium** **Panc' Reg.**
und **Gerhard** **Celle** **Parochial** **Idia** **admi**
ssione **admittere** **possum.** 2 **Lut.** **1012.**

Note, An Action of the Case was brought
 against the Chancellor, upon the Return
 aforesaid, drawn by Serjeant *Polluxen* and
Holt.

Upon a *Mandamus* to restore an Attorney of
Chesster to his Place.

Serenissimo **Dña** **Regi** **humillime** **certifico**
qd **Cui** **Beate** **Dñi** **Regis** **Comd** **Pal** in **Celle**
est **antiqua** **Cui** **de** **Recoy** **Abq** **dñi** **Cui** **a**
tempore **eius** **contra** **ment** **homin** **non** **ex**
ist in **absent** **Camerar** **eiusdem** **Comd** **Pal**
& **eius** **vice** **Camerar** **&** **Baron** **dñi** **Dñi** **Re**
gis **eiusdem** **Cui** **tene** **fuit** **&** **teneri** **conue**
nit **cozam** **Deputat** **Baron** **dñi** **Dñi** **Regis**
eiusdem **Cui** **Abq** **26** **die** **Septembri** **anno**
regni **dñi** **Dñi** **Regis** **nunc** **29** **S. P.** in **breve**
Idia **nomina** **tunc** **existen** **und** **Atro**
eiusdem **Cui** **ved** in **eadem** **Cui** **tunc** **tene** in
Castro **dñi** **Dñi** **Regis** **Celle** **cozam** **W. S.**
Gen **Deputat** **J. W.** **Bar** **adunc** **Baron**
eiusdem **Cui** **existen** in **eadem** **Cui** **judicia**
liter **sedem** **Camerario** **eiusdem** **Comd** **Pal**
Celle **eius** **vice** **camerar** **&** **dñi** **Baron** **tunc**
absent **existen** **&** **ipm** **W. S.** in **Offic** **adunc**
& **ibidem** **exerend** **p** **altam** **confabulationem**
suam **cum** **quibusdam** **sibi** **adstantibus** **impe**
dit **&** **disturbabit** **contra** **ipsum** **S. P.** **offi**
cij **Idice** **debitum** **&** **debitum** **eidem** **Cui** **ab**
eo **respectum** **super** **quo** **idem** **W.** **mandabit**
eidem **S.** **fore** **silene** **&** **qd** **ipse** **Cui** **pred** **ul**
terius **disturbare** **desistat** **Et** **qd** **S. P.** **con**
fabulationem **&** **disturbationem** **suam** **Idice**
mid **desistat** **Idice** **W. S.** **ulterius** **Idice** **S.**
manda

Hanc Reg. mandabit fore silent sup quo idem **D. S.** in plen' & apert' Cur' p'it in plen' audiri g'plui Secutor & Officiario eadem Cur' contemptuose respondit in Anglicanis verbis sequen' viz. I care not to straw for what you can do. Et ulterius contemptu ipsius **D. S.** & de Cur' de **D. S.** Regis confabulationem suam p'bia' alia & obstreperare continuabit & ipm **D. S.** in eadem Cur' ibidem iudicialiter seden' adtunc & ibidem p' eandem confabulationem alterius disturbabit & in officio suo p'it in eadem Cur' exercens adtunc & ibidem impedire super quo idem **D. S.** adtunc & ibidem in apert' Cur' p'it ipm **D. S.** ab exercitio officij sui & toznat p'dice in eadem Cur' suspendi quousq' idem **D. S.** seipm Cur' p'dice submitteret & solene suam agnosceret & veniam inde ab eadem Cur' p'dice peteret quod p'dice **D. S.** ad aliquod tempus hucusq' aliquant' non petiit Et ulterius Dño Regi certifico qd p'dice **D. S.** a loco & officio suo in h're p'dice mentonae aliter seu aliquo alio modo non apper' et nec unqm fuit p' ipm Camerar'. 2 Lut. 1014. Vid. Vent. 331. Parker's Case, where this Return is held good.

Retorn. Mandamus ad Admittend. A. ad Officium Majoris vel causam significare.

A. Cretuto istius h'rebis patet in quadam Schedul huic h'rebi annex'.

Respons. C. L.

Ego C. L. Sed serenissimo Dño Regi in Cur' ipsius Regis rogam ipso Rege humillime certifico qd ante advene hujus h'rebis mihi p'dice

pdice C. L. direm' nec non ante emanatōe e. Banc. Reg.
 iulio h'ebis scilicet 2 die Oct anno regni Dni
 nri Cai. 2. Dei grā Angl. Riae Franc. & Pi.
 dntis Regis fidei Defensor, &c. 35. Ego pdice
 C. L. a loco & officio Majoris Burgi de C. in
 Com. G. pdice fui amoe Et quidam W. N.
 de Burgo pdia' Gen. eodem 2 die Oct anno
 supradicto in loco & officio Majoris Burgi
 de C. in Com. pdice fuit electus constitutus ad-
 missus & iuratus ac abinde hucusq. fuit & adhuc
 est Major Burgi pdia' Et rōne Officij sui a
 tempore constitutōis & Admissiōis sue pdice
 in Officium illi hucusq. huisset & modo habuit
 in custodiā sua Cōe sigillum Burgi de C. rōne
 cuius Ego pdict. C. L. ipm pdict. N. secums
 Erigene h'ebis pd' jurare seu restituere non
 potuit. Vide Thes. Brev. 159.

Original.

Ad die nichil fecit eo qd quer non inveni ei
 Pleg de p'pos. H. 1 E. 3. 28. vide postea Wast.

Partic.

Fact de Manerio. Rast. 450.

De Manerio rehtis & redditu. Id. 451, 452.

De Messuag' & teris in duos. Co. Ent. 412.

De separalibus Messuag' & teris in separa-
 libus villis. Id. 413.

De 20 Ac ter inter 5. Et assignato quis fac
 clausue inter terras. Id. 411.

De Maneris rehtis redditu libtat falde
 Curā libera Warrenna ac de Advocatone, &c.
 Clift. 560.

Actozd Orig' Pone & Distring' in Parti-
 ton. Clift. 566.

Pone.

The Appendix.

Pone.

¶ De Done p remissione fignit & est
pfectum fignit per hzebe de done

¶ Proprietate pstante per done
Brownl. 295.

Quare Impedit.

¶ Retord hzebe p epud et tunc
Clicus fuit admiffa, Et. Clif. 611.

Rescous.

¶ Retord per ballibum libertatis
omittas die superinde, Clif. 550.

Restitution.

¶ Retord inde post hzebe de Error post
gaton in debito. Hans. 242.

Scire facias.

¶ Scire feci Exec sup Judic in debito, Rast.
Ent. 237.

¶ Mandavi ballibo libertatis qui Scire feci.
Id. 586, 587.

¶ Scire fac Certenentibus & qd non est
quis Certenens in Com. Co. Ent. 627.

¶ Scire fac feodalibus terretenentibus.
Ent. 623. 8 Co. 5.

¶ Quoad separales partes terrarū die man-
davi feodalibus ballibis libereat qui nulli
des

The Appendix.

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sed respondit Et quoad alias terras sic scribitur
 fac. Certe tenentibus. 21 E. 3. 59.

Ad Def. est Cuius beneficiar nullum deneg
 laicorum feudum. 31 H. 6. 11.

Scribitur fac in Amittente vers. n. 10. Certe
 et respondit Et nulla het bona. 2 E. 4. 7.

Scribitur fac. Rectori p. Bap. del. Libertas del
 Dutchy de Kameste. 1 Brown. Ent. 320.

Sed id Inquire qd. Crec nulla habuit
 bona Ideo Scribitur sic Et Inquisito Rectori
 id vendidit & elongavit bona & catalla ad
 valent. 28 1. Clk. 660.

Simile. 661.

Aliter sed sic & inquire. Id. 662, 663.
 nulla bona & Scribitur fac. Rectori cum de-
 stabit.

Alie sed fac post sed feci & inquire Et
 qd. devastavit vers. Hr. Id. 666, &c.

Alie sed fac post sed sic & inquire & de-
 vastabit compere p. inquisitum & nihil Rectori
 p. Crec vers. Crec. Id. 668.

Rex de sed fac p. Cancellar. Com. Pat.
 Lanc. Id. 673.

Scribitur sic Certeneri Et non sunt aliqui al.
 Ibid.

Alie sed sic terrar. reneri. Id. 675.

Sed sic super sed id in Ejectione vers.
 eos qui ingressi sunt post recuperationem. Idem
 656.

Bur. 2. Nichil het nec est inveni. Rectori
 Exento p. defale.

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415. &c.

Sur Sed id p Crec super record Die
Cognizor moie Sed fac vers heres
Terre Tenen Et Die Retorn Sed fac Tenen
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Sur Sed fac vers C D &c. Certenanti
Die retorn que un des Des. fuit moie per
que un J. G. fuit Certenanti dnd Moiey
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Ibid.

Venire fac Jur.

Decem tales ubi Die virtute hiebis mon-
avit Capite Sen' libertat de Bury qui Re-
turn decem tales quod. nat. ven. &c. Et Di-
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Aliqui Jur non compuer tales ut Jur
extrahitur & decem tales agard Die return
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Die

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To be endorsed on the Writ.

Exceuto istius b'is patet in quodam
nello hunc b'ebi annex.

C. A. Bar. Vic'.

The Panel.

R. H. Nomina Jur' in C. P. Cur' &
C. C. nuper de R. Ac de placito trans & C.
jecton' firme.

R. H. de C. Bar.

R. B. de R. Bar.

And so write all that are named in the Writ
one under another.

And after that, then write thus:

Quilibet Jur' predict per se separatim me
nucaptus est per

Johannem Dooi

Ric. Roo.

Exce eoz. cujlibet

475

Banc. Reg.

THE

W. C. de 99. 31c.

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25. Mr.

2. 10. 20. 21r

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U.S. DEPT. OF JUSTICE

W. B. de S. Sir

6. 9. de 23. Mr'. 6

電. 表. De 製. 91r

Quilibet coram decem Jur in Turam
pote sic posse per se seperatim Attach est
per

Jo. Denn.

&

Ri. Fenn:

Waft.

Reverend herbis de Inquisitione in bello Et
Judic superinde. Clift. 823.

Secund. Clift. 824.

Spieg' de Spohn } G. D.
H. H.

Submonitores infrañoiar (J. G.

3. 6. 1950

Et ulterius Justie infrascripte certifico qd
post Terminu p'dict scilicet 20 die Octob An.
infrascripte existend die Vinto immediate post
divinum servitium in Ecclesia Parochial Be
H h Marie

Banc. Reg.

Marie de Burp. Et. Cuius infra scripte nunt
 predicato edunt. Et ibidem. Et. Cuius
 maxime usuali. Cuius. Et. Cuius
 infra quam quidem. Paroch. Cuius. Et. Cuius
 scripe jacent. Proclam. feci. Cuius. Et. Cuius
 cund. formam. Et. Cuius. Et. Cuius. Et. Cuius
 provis.

Infra scripte. A. A. Attach. Et. Cuius. Et. Cuius
 scilicet. Et. Cuius. Et. Cuius. Et. Cuius
 Distring. Retor. Et. Cuius. Et. Cuius
 anno secundo. Et. Cuius. Et. Cuius. Et. Cuius

Manu cape infra scripte. A. A. Et. Cuius. Et. Cuius

Exil. Et. Cuius. Et. Cuius. Et. Cuius

Bzebia Execue p nup Dic.

Ex. fac. Rast. 313. Et. Cuius. Et. Cuius. Et. Cuius

extene. Rast. 595. Co. Ent. 617. Et. Cuius. Et. Cuius. Et. Cuius

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Manu

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